

MINUTES OF MEETING
BOARD OF SELECTMEN
Tuesday, January 4, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectmen William L. Zolli and Louis J. Bartolini, Admin. Asst' John A. Lundblad, Town Counsel Busconi, members of the press and one interested citizen.

8:00 p.m. Charles Johnson, Arthur Holmes, members of the Board of Assessors, met with the Board of Selectmen to announce the resignation of Ralph Clark. They presented to the Selectmen a copy of Mr. Clark's letter of resignation and requested in writing that an election be held in the near future with the Board of Assessors and the Board of Selectmen to replace Mr. Clark.

Second, the Board of Assessors were asked by the Board of Selectmen for their cooperation to work together with Admin. Asst' Lundblad and Bldg. Inspec. Edgar Phaneuf to review all structures in Town to determine a list of violations of the single family dwelling by-law.

8:10 p.m. The Board of Selectmen held a public hearing in accordance with regulations published in the Federal Register to review the final application of the Community Development Block Grant application to the United States Depart. of Housing and Urban Development, Boston Area Office, 15 New Chardon St.

Chairman Thomas W. McAuliffe read aloud the citizens participation assurances; further, he read aloud the basic application, which is to be submitted during this week. This meeting was duly posted and advertised. No members of any town boards, committees or departments were present. No citizens present had any comments in re to the Hearing.

8:15 p.m. Hearing was closed at this time.

to

8:35 p.m. Board of Selectmen met with MORTON J. BEN-MAOR, Attorney G. Clifford Munzert, Anthony DeAngelis and John Quirk. The Hearing was recorded. It was for a liquor license transfer from Southborough Associates, Inc. d/b/a The Olde Salt Restaurant & Lounge to Mortony Enterprises, Inc. d/b/a Tony Dee's Restaurant, 45-50 Turnpike Rd., Fayville. Chairman McAuliffe read aloud the legal ad as it appeared in the WORCESTER TELEGRAM of Dec. 24, 1976. Mr. Muzzert requested that the application be withdrawn. Mr. Quirk put it in writing. Selectman Bartolini moved to accept the withdrawal of same. Selectman Zolli seconded the Motion. It was a unanimous voice VOTE to withdraw without prejudice and it was so granted.

8:45 p.m. Opening of Police Cruiser bids. Chrman. McAuliffe read aloud the legal ad as it appeared in the WORCESTER TELEGRAM of Dec. 24, 1976. Selectman Zolli read a letter from Crown Chrysler Plymouth, 535 Union Avenue, Fram., stating that they are closed due to the holidays and are unable to bid. They wish to have an extension on the deadline so that they can competitively bid as they have done in the past.

Selectman Bartolini read bid from Fram. Auto Sales, Inc., 1200 Worcester Rd., Fram., bid with trade-in.....\$ 4,549.00

Selectman Zolli read bid from Durand Chevrolet, Inc., 246 Main St., Hudson for a Chevrolet Impala - Quote #1.....\$ 5,093.00

Selectman Zolli read bid from Durand Chevrolet, Inc., 246 Main St., Hudson for a Chevrolet Malibu - Quote #2.....\$ 4,724.00

Selectman Zolli made a motion, that since the Police Chief was not present, that these bids should be taken under advisement. This motion was seconded and unanimously VOTED to take all bids under advisement. It was also stated that insufficient funds exist in the Warrant Article to pay for any of these three vehicles.

9:00 p.m. The Board of Selectmen held an administrative disciplinary Hearing to investigate alleged charges against Civilian Dispatcher Richard Long of the Southborough Police Dept. Present: Richard W. Long, Attorney Edward Reardon,

Reserve Police Officer Danny Chernewski, Police Officer Ralph Evangelous, Police Chief Francis J. Mattioli, Reserve Officer Joseph Bennett, Police Officer Richard Waller. Chairman McAuliffe read aloud letter sent to Mr. Long re this hearing.

9:11 p.m. Attorney Reardon requested an Executive Session. It was moved by Selectman Zolli, seconded by Selectman Bartolini. It was a roll call VOTE. All three Selectmen in favor. The press and two interested citizens left the room. A total transcript of this Hearing is on file in the confidential file for executive sessions and will remain so until declassified by the Board of Selectmen. It should be noted that David Maguire was invited to attend this Hearing as was the alleged person to whom the alleged assault took place - Mr. Noel Clifford. Both were notified by certified mail. Neither were in attendance.

10:58 p.m. Selectman Zolli moved to reconvene the open meeting, seconded by Chairman McAuliffe. It was a unanimous voice vote to reconvene the meeting. No votes were taken during the executive session except to take the matter under advisement.

Selectmen signed T.W. #61 in the amount of \$2,384.30.
" " T.W. #62 " " "\$102,032.89.

Selectmen signed Zoning By-Law Permit for James Murphy. This is a permit updated from the original permit issued 10/8/75 to build a single family residence on 23 Blackthorn Drive (lot 126)

TOWN DEPARTMENT

Board noted 1/3/77 correspondence from Town Accountant E.M. Hinckley re a failure to appropriate money to pay interest due on the Fire Station Loan \$8,925.00 and the Water Loan \$5,865.00 totaling \$14,790.00 Letter to Treasurer S.Tanenholtz enclosing a copy of Mrs. Hinckley's January 3rd letter re funding shortages in these Depts. and/or interest repayment Warrant Articles. cc: E.M. Hinckley, Town Accountant, and to Richard Bowen, Chairman of the Advisory Committee.

Letter to Treasurer Tanenholtz notifying him that no State or Federal financial assistance is anticipated for the Town Hall renovation project. The grant application filed with the Economic Development Administration was returned because of shortcomings in the architect's and engineer's report

Highway - Letter to Town Counsel Busconi re the drain easement on Mitchell St. and an attached plan, Record Plan of Reconstruction of Roadway and Surface Drains, Mitchell St., Southborough. Highway Supt. has no accurate record of any existing easement. Town Counsel is requested to research this matter. cc: John Boland

APPOINTMENTS/RESIGNATIONS

Board noted December 29, 1976 letter from Town Moderator Charles B. Swartwood, III listing his appointments to the new Treasurer/Collector Search Committee (Article 3 SPM 12/6/76): Robert C. Dumont, Russell B. Millholland and Walter F. White of Oregon Rd. Mr. Dumont is to be the Chrmn.

SITE PLANS

Letter to the Planning Board, Conservation Commission and to the Water Dept. enclosing a photocopy of the SEMCO, Inc. site plan. This is a remaking of the approved Minuteman Autobody Co., Inc. site plan with changes in parking, signs and outside lighting to include provisions for this new firm and requesting the opinion of these Boards.

Board noted the receipt of the Southborough Auxiliary Police General Rules & Regulations.

Selectman Zolli made a motion to adjourn the meeting, seconded by Selectman Bartolini and unanimously voted to adjourn the meeting at 11:45 p.m.


John A. Lundblad
Administrative Assistant

jal/j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, January 4, 1977

8:15 p.m. Chairman McAuliffe read aloud the Legal Ad, as it appeared in the WORCESTER TELEGRAM of December 24, 1976, re Public Hearing being held on the application of The Southborough Associates, Inc., John Quirk, Manager, d/b/a Olde Salt Restaurant, applying for the transfer of said corporation's common victualler's all-alcoholic beverages license, 45-50 Turnpike Road, to Mortony Enterprises, Inc., Morton J. Ben-Maor, Manager, 56 Winch St., Framingham.

TRANSCRIPTION FROM TAPE

"Chrmn McAuliffe: Do you gentlemen have a certificate of a joint meeting of the stockholders and Board of Directors of each corporation involved?

Mr. Quirk: It will be furnished to you. We don't have them with us at the moment but they will be furnished to you by the time...we have a new corporation which is in the process of being formed under the Commonwealth of Massachusetts and at the time of the issuance of the license we will furnish all the necessary papers. We are a new corporation in the process of being formed.

Sel. Bartolini: Have you got the vote of the old corporation?

Mr. Quirk: I can furnish that.

Sel. Bartolini: Well, under Chapter 138 all this stuff should be furnished to the Board before you have a hearing. You have to comply with the standard application for an all-alcoholic beverages license. If you don't have these (interruption)...we can't go on an assumption, sir. I know Mr. Quirk is a very nice gentleman, but the Board as the Licensing Authority just can't go on an assumption that someone is going to take a vote in the corporation at some time or the corporation is going to be voted at some time. All this should have been done prior to the application plus it is a new corporation in the area - are they citizens of this country?

Atty. Munzert: They are all citizens of this country.....

Sel. Bartolini: Before any action of this Board can be taken it has to be done prior to coming here tonight. It should all be in the application.

Chrmn McAuliffe: It is required that you present birth or citizenship papers for the Manager, proof of ownership, lease or rental control or purchase and sale agreement assuring the local Licensing Authority that this license is to be used by these applicants at the stated location, proof of incorporation of each corporation involved, and the applicant must declare and identify a Manager which you have done.

Sel Bartolini: Is Southborough Associates going to dissolve, is it going to be sold, is there a purchase and sale agreement, do we have any knowledge of any sale there, or what?

Mr. Quirk: ...It is being leased.

Sel Bartolini: Is there a lease agreement? Is the license going on the same location?

Mr. Quirk: The license will remain on the same location.

Sel Bartolini: Frankly, Mr. Chairman, I can't see how the Board can act on this tonight; the application is made out in error. I would suggest that the applicants would want to withdraw.

Mr. Quirk: Is in fact the application made in error?

Sel Bartolini: There is no corporate vote.

MINUTES OF MEETING, BOARD OF SELECTMEN, Tuesday

Atty Munzert: Technically our corporation is not in existence ergo I would be, in fact, furnishing with something that doesn't exist... .Secretary of the Commonwealth, rather than put that on the application, I said the corporation was in the process of being formed under the Commonwealth.

Sel Bartolini: Where is the vote of the Southborough Associates?

Mr. Quirk: That is my fault. I don't have it here.

Sel Bartolini: We have to go by the numbers. You both agree on this and also the only way you can apply for a liquor license twice in a calendar year. Right. Your application is not in order and I would say withdraw it.

Mr. Quirk: So what you need is his vote.

Sel Bartolini: Among these other things.

Mr. Quirk: What other things?

Sel Bartolini: Certificate of birth, certificate of incorporation. It should be all done when you fill out an alcoholic beverages license.

Town Counsel Busconi: Let me interject for a moment. I wonder whether or not there has been compliance even under Section 15A, the newspaper publication. Do you have certifications? Have you brought those with you?

Mr. Quirk: We didn't receive returns from all of them (abutters) but I do have certified mail receipts to all of them. I think you will find the list of abutters there- an up to date list.

Town Counsel Busconi: Depending upon what the Selectmen say tonight - perhaps you could save yourself discord in the end, if in that these are in order, you could then send again notifications to all the abutters for the next hearing and save yourself that problem in accordance with Chapter 138 15A.

Chairman McAuliffe: Gentlemen, what is your pleasure? Do you wish to withdraw this application?

Sel Bartolini: You can talk it over in the hall, go right ahead.

Mr. Quirk: Can we do that?

Sel Bartolini: Take as long as you need.

Chrmn McAuliffe: We have received a note which states that The Southborough Associates Inc. wishes to withdraw application for common victualler's all alcoholic beverages license at this time and it is signed by John Quirk, Manager-Treasurer of The Olde Salt Restaurant.

Sel Bartolini: I make a motion that we accapt the withdrawal.

Sel Zolli: Seconded.

Chrmn McAuliffe: Any further discussion? Hearing none, all in favor say aye.

All three Sel said: Aye

Chrman McAuliffe: So be it."

MOTION CARRIED


John A. Lundblad, Administrative Assistant/j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, Jan. 11, 1977

7:30 pm. Present: Ch. Thomas W. McAuliffe, Sel. William L. Zolli, Sel. Louis J. Bartolini, 2 citizens, John A. Lundblad, Admin. Asst.

8:00 pm. Town Clerk Paul J. Berry informed the Selectmen that due to the renovations of the Town Hall, that election could not be held there on May 9. Therefore, he requested that the Selectmen look into the possibility of utilizing the Pilgrim Church, or if that is not available then perhaps St. Anne's Hall. Mr. Berry also distributed a list of elected officials who will be up for re-election at that election. He also informed the Selectmen that April 11 was the deadline for questions to be placed on the ballot.

Selectmen APPROVED a request from Vale Terrace, a private way, be plowed by the Town's Highway Department.

8:15 pm. Selectmen met with Wesley E. Wallace, Right-of-Way Agent for New England Telephone Company, regarding Petition of NET and Mass. Elec. Co. for permission to locate poles, wires, etc. along and across the following public way:

Jericho Hill Road beginning at a point which is approximately 534 feet northwesterly of Fisher Road and continuing northwesterly.... 2 poles.

3 jointly owned poles to be abandoned.

Motion was made by Selectman Zolli, seconded by Sel. Bartolini and unanimously VOTED: to approve the above mentioned petition.

8:30 pm. Selectmen met with City Councillor Frank Walker, Ch. of the Solid Waste Committee of Marlborough, as well as members Josephine Plas 8:48 pm. and Dennis C. Hunt. Also present DPW Supt., Marlborough, Paul Sharon. They talked about the possibility of joint cooperative efforts between Marlborough and Southborough in regard to solid waste disposal utilizing the Transfer Station in the Town.

Selectman Bartolini made a Motion that the Police Cruiser bids which were opened on January 4, 1977 be denied and that the new cruiser be readvertised. Sel. McAuliffe seconded the motion and it was unanimously

VOTED: as stated in above motion.

The Selectmen were given copies of the entire set of budgets for all departments under their control as well as consolidated budgets recently carried out by their Administrative Assistant.

Selectmen signed TW #63 in the amount of \$11,095.33

Selectmen signed TW #64 in the amount of \$43,818.22

Selectmen signed Rev. Sh. TW #9 in the amount of \$10,400.00

TOWN BOARDS

Board noted Extension Permit of the Wetland Protection Act signed by Conservation Commission to Casey Collins Realty Trust re project on Overlook Drive.

TOWN BOARDS cont.

Letter to Conservation Commission c/o Mrs. Tufts, Ch., informing them that negotiations between the Town and Ray R. Davis have reached a position whereby they are prepared to pass papers next week if the funds are released. The Selectmen request that they expedite the processing of the voucher.

Letters to all members of the Planning Board and the Zoning Board of Appeals, Ch. John Rego, scheduling a joint meeting regarding zoning provisions for accessory apartments in Southborough. A copy of the Lincoln By-Law is to be enclosed.

TOWN DEPARTMENTS

Legal: Memo to Town Counsel Busconi regarding Local 495 of the Service Employees International Union litigation enclosing a copy of a letter dated January 4, 1977 from sixteen employees of the Town of Southborough requesting the abandoning of this litigation between the Town and Local 495, so that they can proceed with other means of representation. Sel. informed Town Counsel that they endorse this abandonment and request his immediate response to this matter.

Memo to Highway Supt. J. W. Boland, copy to Town Accountant Hinckley, after reviewing Mrs. Hinckley's 12/20/76 letter re Article 25 ATM 1976 for the automatic sander body, the Selectmen feel the appropriate action would be to put this out to bid. If a deficit should occur, than a transfer from the Advisory Committee's Reserve Fund will have to be requested if there is no other way to reduce the cost of the item.

STATE AGENCIES

Board noted letter from the State Div. of Employment Security informing the Board of the newly enacted Federal legislation which will require permanent extension of unemployment insurance coverage to most state and municipal employees. Letter to John Crosier, Dir. of the Div. of Employment Security stating the Town wishes to become involved in this process from the beginning and if an advisory council is created, the Board would like to have a representative on such a group.

FEDERAL FUNDING

Letter to John Corrigan, Regional Director, U. S. Dept. of Commerce, Philadelphia, Pa. following up letter from Selectmen dated 12/16/76 regarding the Town's application (Project Location No. L-MA-0535-0) for assistance under the Local Public Capital Development and Investment Act of 1976. (Dec. 16 letter outlined why Selectmen believed Southborough should be permitted to resubmit its application).

Board noted Dec. 22, 1976 letter from the Office of State Planning re: A-95 Review, Town of Southborough/Renovation of Town Hall/\$470,000 State Clearinghouse Identifier: 76122154 stating they have reviewed Southborough's application and finds it compatible with state growth and economic development policies. (Title I of the Local Public Works Employment Act of 1976).

LICENSES

Board noted Jan. 6, 1977 approval from Alcoholic Bev. Control Commission re new manager of Fayville Athletic Assoc., Inc. Board noted Jan. 6, 1977 letter from Austin M. Maguire, Bar Manager of Fayville Athletic Assoc., Inc. complying with Rule 6 and Rule 7 of the Licensing Board listing names of employees.

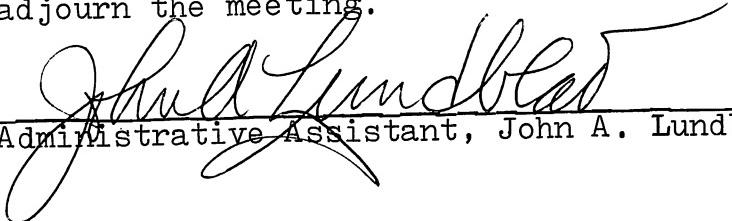
APPOINTMENTS/RESIGNATIONS

Board noted 3/18/76 letter from John Gignac resigning from the Historic Celebration Committee. This was received in Town Clerk's office and the Selectmen's office on January 5, 1977.

Board noted 1/3/77 letter from Donna Piper resigning from the Historic Celebration Committee.

9:15 pm. VOTED: to adjourn the meeting.

jal/gw


Administrative Assistant, John A. Lundblad

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Thursday, Jan. 13, 1977

8:00 pm. Board of Selectmen met with the Treasurer-Collector Search Committee to hear and discuss the Committee's recommendations for three candidates to be interviewed by the Board of Selectmen for the new Treasurer-Collector.

Present were: Ch. Thomas W. McAuliffe, Sel. W. L. Zolli, Sel. L. J. Bartolini and Administrative Assistant John A. Lundblad; Search Committee members: Ch. Robert C. Dumont, Walter F. White and Russell B. Millholland.

There were no other persons present at this meeting.

9:30 pm. VOTED: to adjourn the meeting.


John A. Lundblad
Administrative Assistant, John A. Lundblad

jal/gw

MINUTES OF MEETING
BOARD OF SELECTMEN

January 18, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman L. J Bartolini, Selectman W. L. Zolli, Admin. Assistant John A. Lundblad, members of the press and two interested citizens.

In the presence of Town Clerk Paul Berry, Selectmen drew two jurors for jury duty: (1) Philip J. Wood, 1 Maplecrest Drive and (2) Daniel R. Jackman, 209 Parkerville Road.

7:43 p.m. Selectmen met with Personnel Board Chairman David Hayward, Janice A. Fletcher, Edward Blood, Michael Backer and their Secretary Eleanor MacLauchlan. Discussion was re the Town employees ..and a possible pay raise.

7:47 p.m. The Board of Selectmen, to discuss collective bargaining, VOTED to go into Executive Session upon motion made by Selectman Bartolini, seconded by Sel. Zolli. It was a unanimous roll call vote. Ch. McAuliffe announced to the press and the citizens present that the meeting would reconvene after the Executive Session.

8:15 p.m. Public Hearing was held on the transfer of liquor license to held by Southborough Associates, Inc. d/b/a Olde Salt

8:21 p.m. Restaurant, John H. Quirk, Manager, 44-50 Turnpike Rd., Fayville to Mortony Enterprises, Inc., Morton J. Ben-Maor, Manager. Ch. McAuliffe read aloud the legal ad. Ch. McAuliffe announced that the Selectmen's office received at 4:40 p.m. on 1/18/77 a letter dated 1/18/77 from John H. Quirk, Manager of Southborough Associates, Inc. withdrawing their application to transfer their liquor license. There being no objections, Sel. Zolli made a motion to accept Mr. Quirk's request. Motion was seconded by Sel. Bartolini. It was a unanimous voice VOTE. Hearing was then closed.

8:45 p.m. Selectmen met with Admin. Assistant Lundblad and reviewed to the following budgets under their jurisdiction: Insect

9:15 p.m. Pest Control, Zoning Board of Appeals, Legal, Street Lights, Gasoline, Insurance, Building Dept., Council on Aging, Dog Officer, Sealer of Weights and Measures, Inspector of Animals, Central Services, and Buildings and Grounds. The Selectmen APPROVED all budgets as submitted. Holds were placed on the budgets of the Selectmen, Veterans' Agent, Police, Accounting and Fire Depts. requesting that meetings be scheduled immediately with these department heads to expedite the review of these budgets and forward them to the Advisory Committee.

9:26 p.m. Disciplinary Hearing was reconvened with Richard W. Long. Sel. Zolli made the Motion to have a closed meeting. Motion was seconded by Sel. Bartolini. It was a unanimous roll call voice vote to go into Executive Session to discuss this matter. Present at this time was Attorney Reardon (Mr. Long's attorney), Mr. Noel Clifford, Sergeant Colleary, Town Counsel Frederick Busconi, Administrative Assistant John Lundblad and the Selectmen. Mr. Clifford, Mr. Long

and Admin. Assistant Lundblad were sworn in by Ch. McAuliffe.

10:10 p.m. All others left at this time and the Executive Session began.

10:25 p.m. Executive Session ended and the Hearing regarding Richard W. Long was considered terminated.

Selectman Zolli made a motion, seconded by Sel. Bartolini, and VOTED unanimously that Richard W. Long, Civilian Dispatcher for the Southborough Police Department and Special Police Officer subject to the confines of the Southborough Police Station, be SUSPENDED for two weeks without pay and benefits commencing at 12:01 a.m. January 19, 1977 to February 2, 1977. Following said suspension, Mr. Long is to begin a probationary period of ninety (90) days commencing February 3, 1977 and terminating May 3, 1977.

Selectmen signed Treasury Warrant #66 in the amount of \$150,582.43 and #65 in the amount of \$2,628.35.

TOWN BOARDS

Selectmen instructed Admin. Assistant to assemble all information available re Peters Park and to forward it to Paul O'Connell, Jr. for the Fire Station Building Committee's title search of this property in front of the Police Station, 19 Main Street.

ZONING

Board noted 1/18 letter from Lewis F. Horton re his purchasing a building at 175 Boston Road, now occupied by Felker, Hutchinson Smith Assoc., Inc. The Lew Horton Distributing Co., Inc. will be the new occupants. His business will be warehousing and distributing firearms, ammunition and related accessories. Mr. Horton would like an Occupancy Permit. Letter to Mr. Horton informing him that since his firm will also be utilizing this facility for warehousing, distribution and office space, there is no change in usage at this location. There is no need for a site plan permit or an occupancy permit to be issued. CC: Conservation Commission, Planning Board and Bldg. Insp. Phaneuf.

Board noted ZBA Hearings on 1/26 -- 7:30 p.m. on petition of Joseph and Dorothy Berthonazzi, 65 School St.; 8 p.m. on petition of Fire Station Bldg. Com. for a variance for 19 Main St. west of Police Station.

TOWN DEPARTMENTS

Board noted letter from Town Counsel Busconi to Attorney Douglas Rowe forwarding to him a copy of a Decision dated Jan. 6 from the State Building Code Commission re Richard E. LeDuc and the Bldg. Inspector of the Town of Southborough.

STATE FUNDING

Letter to John Boland, Highway Supt., re his letter of Dec. 28 re the State DPW Pavement Marking Demonstration Program. The Selectmen support his request for the roads which include Framingham, Boston, Cordaville, Marlboro, Newton, Richards, Woodland and Southville Roads.

FED. FUNDING

Board noted 1/13/77 letter from MAPC re Southborough's application under Title I Public Works Employment Act that the EDA will not fund this project of the Town Hall renovation.

11:04 p.m. VOTED: to adjourn the meeting.

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John A. Lundblad, Admin. Assistant

jal/mp

SELECTMEN'S MEETING

January 18 1977, 9:15 p.m.

Transcript of Tape

Chairman McAuliffe: This is a reconvened meeting of January 4, 1977 in regard to Richard W. Long, 97 Woodland Road, Southborough, MA at the request of Attorney Edward P. Reardon. For the record I would like to read the letter received from Attorney Reardon. (This letter was read aloud in its entirety.) I would also like to read for the record the response from the Board of Selectmen. (Letter of January 13, 1977 was read in its entirety.)

Attorney Edward P. Reardon: Now, Mr. Chairman, before we begin, may I ask you as I did at the first meeting and in regard to my memorandum in support of an Executive Session without going into the extensive situation which that memorandum describes, may I again ask you to declare this to be a closed meeting, particularly in view of the fact that this is a continuation of a meeting which was declared to be closed.

Selectman William L. Zolli: So moved

Selectman Louis J. Bartolini: Seconded

Chairman McAuliffe: Any further discussion? Hearing none, the Chairman votes in favor.

Selectman Zolli: Aye

Selectman Bartolini: Aye

Chairman McAuliffe: The regular meeting of the Board of Selectmen shall reconvene at the conclusion of the Executive Session.

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Open Meeting--

Selectman Zolli: After hearing testimony on January 4, 1977 and January 18, 1977, and after lengthy determination of the facts, I move that Civilian Dispatcher for the Southborough Police Department and Special Police Officer subject to the confines of the Southborough Police Station be suspended for two weeks without pay and benefits commencing at 12:01 a.m. January 19, 1977 to February 2, 1977, a probation period for ninety days following the return to duty on February 3, 1977.

Motion was seconded by Selectman Bartolini.

Chairman McAuliffe: Let the record show that the motion carried by a unanimous voice vote of all three Selectmen that this action be taken. May I also state that you have been informed but that you shall also be informed in writing of this decision.

Let the record show that the hearings regarding Richard Long, Civilian Dispatcher and Special Police Officer confined to the confines of the Southborough Police Station is terminated.

Selectman Zolli: I move that we adjourn.

Selectman Bartolini seconded the motion.

11:04 p.m. VOTED: unanimously to adjourn the Selectmen's meeting of January 18, 1977.

(Marjorie Putnam transcribed above tape.)



John A. Lundblad
Administrative Assistant

/j

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Thursday, Jan. 20, 1977

- 6:00 pm. Present: Ch. McAuliffe, Sel. L. J. Bartolini, Sel. W. L. Zolli; Admin. Asst. John A. Lundblad, members of the press were present.
- 6:00 pm. Board of Selectmen reviewed budget with Francis J. Mattioli, Chief of Police.
- 6:30 pm. Board of Selectmen reviewed budget with Fire Chief Brock, Fire Dept. Budget.
- 7:00 pm. Board of Selectmen reviewed budget with Irene Burkis, Veterans Budget.
- 7:30 pm. Board of Selectmen reviewed budget with Elaine Hinckley, Town Accountant Budget.
- 8:00 pm. Board of Selectmen reviewed budget with John Boland, Highway Budget.
- 8:39 pm. Selectmen voted to go into Executive Session to discuss collective bargaining. The motion was made by W. Zolli and seconded by Sel. Bartolini, unanimous roll call vote. The press was informed that the Selectmen would not reconvene after this meeting, that the Selectmen would review the latest proposal made, no votes would be taken, and that Selectmen would adjourn immediately after Executive Session.
- 9:35 pm. VOTED: to adjourn.

jal/gw



Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

January 25, 1977

- 7:00 pm. Present: Ch. T. W. McAuliffe, Sel. L. Bartolini, Sel. W. Zolli, Admin. Asst. John A. Lundblad and members of the press.
- 7:05 pm. Sel. William Zolli voted to go into Executive Session for the purpose of discussing collective bargaining. The Chairman announced that the open meeting would reconvene after the Executive Session.
- 7:05 pm. Present at Executive Session were, Janice Fletcher, Chairperson of Personnel Board, Personnel Board members, M. Backer, D. Haywood, E. Blood, clerk E. McLauchlan, Chairman of Advisory Committee, Richard Bowen, members of Advisory, S. Ball, J. Duggan, E. Chaput.
- 7:18 pm. Town Counsel F. A. Busconi arrived.
- 7:34 pm. Bill Pires arrived.
- 8:32 pm. Members of other boards left the Executive session, persons remaining in Executive Session, J. Lundblad, L. Bartolini, W. Zolli, T. McAuliffe and F. Busconi.
- 9:00 pm. Executive Session ended. Motion made by Sel. Zolli, seconded by Sel. Bartolini, unanimous voice vote of all present.
- 9:05 pm. The Selectmen met with Assessors to discuss the qualification of an individual interested in the position created by the resignation of Ralph Clark. The Selectmen cited Chapter 41, Section 11, which dictates a certain procedure be followed for the replacement of such elected officials. Mr. Bartolini indicated that at this late date, merely 90 days away from the election that they should wait. The Assessors took that request under advisement, but requested an election to be scheduled as soon as possible. The Selectmen scheduled one for the following meeting, Tuesday, 2/1/77.

The Selectmen reviewed a proposal for the Marlboro People's Council and requested the Administrative Assistant to bring in representative Helen Wade of the Council.

Sel. Zolli made a motion, seconded by Sel. Bartolini and unanimously voted that in accordance with the 1972 Annual Town Meeting, Article 49, in which the town voted unanimously by voice vote, instructed the Selectmen, acting as Park Commissioners, under Chapter 45 of the General Laws of the Commonwealth to set aside a portion of Peter's School land, so called, on the northerly side of Main St. as a public park dedicated to the memory of Henry J. Peters who gave this land to the town of Southborough; and in keeping with the vote of the town, I move that that parcel of land be named Peter's Park.

Sel. Zolli moved that Charles B. Swartwood, III be designated as special municipal employee under Chapter 268 A, Section 17, in relation to activities under 268 A, 17 C. Motion seconded, voted unanimously as stated.

Selectmen signed TW #67 in the amount of \$75.

TOWN DEPARTMENTS

Letter to Town Clerk Paul Berry notifying him that the Selectmen have received permission from the Trustees of Pilgrim Church for the utilization of the Church Hall for May 9, 1977 Town Election. Letter to Ray Davis, Ch. of the Pilgrim Church Board of Trustees, regarding the use of the Church Hall for the purpose of the Town Election. Any discussion of remuneration can be worked out at the Trustees' convenience. cc: Town Hall Custodian Lew Maida, Town Clerk Paul Berry and Highway Supt. Boland.

LICENSES

Board noted Jan. 28 letter from Lee J. Bellisario, Pres. of New England Rare Coin Auctions regarding his request for an Auctioneer's License for the year. Letter to Mr. Bellisario informing him that Town Counsel Busconi has ruled that the Selectmen do have the authority to issue an annual Auctioneer's License to him. This will be duly signed by the Board on February 1, 1977. This license can be picked up on Wed., Feb. 2 after paying the fee set at the 2/1/77 meeting.

STATE FUNDING

Letter to Ms. Maureen Mahar, Bicentennial Coordinator, Exec. Office of Communities and Development, announcing the completion of the bicycle path construction program funded jointly with town funds and Bicentennial Funds from the State. A final accounting has revealed that the sum of \$6,466.69 remains in this account. The Board would like to hold these funds, if possible, for further activity in the Spring. If this is not possible, the Board would request guidance as to how one-half of the remaining funds can be returned to the Commonwealth. cc: Town Accountant Hinckley, Bike Path Ch. Grace Ryan, Highway Supt. Boland.

APPOINTMENTS/RESIGNATIONS

Noted by the Board were the resignations of the following from the Historic Celebration Committee: Dorothy Wenning, Beulah Callaghan, Donald Tebo, Thomas Grady, Paul Conti, Peter Falconi, Gilbert Joe, George Hubley,Jr., George Hubley, and William Hayes.

10:04 pm. VOTED: to adjourn meeting.

jal/gw


John A. Lundblad
Administrative Assistant

MINUTES OF MEETING
BOARD OF SELECTMEN

February 1, 1977

7:30 pm. Present: Ch. T. McAuliffe, Sel. Bartolini and Zolli, Admin. Asst. John A. Lundblad, members of the press and 2 citizens.

8:15 pm. The Police cruiser bids for 1-1977 four door, sedan type cruiser were opened. Police Chief Mattioli is not present as he is on vacation.

Ch. McAuliffe read the legal ad as it appeared in the Worcester Telegram of January 24, 1977.

Bids opened were:

1. Crown Chrysler-Plymouth, Inc.....	\$4384.00
2. Durand Chevrolet, Inc. Quote 1.....	\$4430.00
Quote 2.....	\$4674.00
Quote 3.....	\$5079.00
3. Framingham Ford.....	\$4597.00

Selectmen moved to take above bids under advisement. Motion seconded and unanimously so VOTED.

8:30 pm. Selectmen met jointly with the Board of Assessors: Charles Johnson to and Arthur Holmes for the purpose of electing a new Assessor to 9:00 pm. fill the vacancy created by the resignation of Ralph Clark, dated January 3, 1977. This election was held under the provisions of Chapter 41, Section 11. Also present was Irene Burkis, a declared candidate for this position.

Nominations were opened by Ch. McAuliffe. Assessor Ch. Holmes moved with the name of Arthur Sisson, 10 Lyman St. to be placed in nomination for the position. Assessor Johnson seconded it. Mrs. Burkis requested permission to speak. It was so granted. She asked why people would not be allowed to decide who will fill this position instead of having the Assessors and Sel. in joint session meet and decide. The Selectmen said it was not quite the people's choice at this point. Mr. Johnson said that this appointment was only for the remainder of the election year which in this case is May 9, 1977 at which time Mr. Sisson, if he so decides, would have to seek election to the position for the remainder term of Mr. Clark. At this time anyone could oppose him at that election and in fact he would again in 1978 be up for an election at this time for three year term, if he so chose. Sel. Bartolini stated that 90 days was too short a period of time to make an appointment such as this. To spend the money and to make a commitment to an individual without the Town having the right to vote. He questioned the process but certainly not the candidate. He had nothing but praise for Mr. Sisson. He reminded the Assessors that this was done once before, that the training was paid for, that we in effect created an incumbent and that the people defeated that person overwhelmingly. Mr. Holmes went on to say that it is not the intent of the Board of Assessors to bypass any legal techniques or to circumvent the law, but in fact the law provides that by mutual agreement and after proper notification the Board of Assessors and the Board of Selectmen in joint session can vote by ballot to fill this vacancy. Sel. Bartolini again stated that it was not a legal question but a question of process. He is not questioning the right of the two Boards to do so. He was not questioning the manner in which it was being done. He was not questioning the candidate, but rather the fact that it was being done with such a short period of time remaining. Assessor Johnson stated that they needed another person. Selectman Bartolini questioned what would they have done if Ralph had not resigned. Assessor Johnson stated that they would not have had all the information ready for the Annual Town Meeting. At this time Mrs. Burkis requested permission to speak and was so granted. She felt that this was unfair to other people seeking this position because the so called incumbent

would have an edge over other people seeking this position. Selectman Zolli said he cannot equate the fact Mrs. Burkis is running for the position with the statutory obligation of the Selectmen and Assessors to replace this position as required under a Law of the Commonwealth of Ma. Sel. McAuliffe asked the Assessors if they were willing to withdraw their nomination based upon the statements by Mr. Bartolini and Mrs. Burkis. Mr. Holmes stood by his nomination, Mr. Johnson by his second. At this time Ch. McAuliffe requested that we proceed with the process. Sel. Zolli stated that in the event that someone is elected this evening, in no way should this be regarded as approval by Mr. Zolli for that individual or any individual in the upcoming election. That he is merely exercising his statutory obligation to fill this vacancy. Mr. Zolli moved that nominations be closed. Seconded by Sel. Bartolini.

Mr. Bartolini at this time of the passing out of the ballots publicly stated that he wished to abstain from voting for the reasons mentioned above. A secret ballot was held. The results were the following:

3 votes for Mr. Sission
1 blank
1 abstention

Mr. Arthur Sission was thereby elected to fill the vacancy created by the resignation of Ralph Clark. The Board of Selectmen is to notify Mr. Paul Berry, Town Clerk, and Mr. Arthur Sission of the election.

At this time the Selectmen discussed with the Assessors the problems concerning the illegal apartments in the Town. The Assessors agreed to work with the Board of Selectmen's Office to assemble as much data as possible to begin to resolve this problem.

The Selectmen voted to establish new Electrical Permit Fees as recommended by the Wiring Inspector, Mr. James McCaw, effective April 1, 1977.

9:20 pm. Treasurer, Stanley Tanenholtz came in to discuss the W2 forms with the Selectmen.

9:33 pm. Selectmen Zolli moved that the Board go into Executive Session to discuss Collective Bargaining, seconded by Mr. Bartolini.

10:17 pm. There was a roll call voice vote to go into Executive Session. It was at this time stated that the Selectmens' Meeting would not reconvene after the Executive Session.

STATE AGENCIES

Board noted 1/31/77 letter from Ernest L. Kallander, 18 Meadow Lane, informing the Board that he has been trying for two years, with no success, to get the MDC to give him permission to build a service building to house his equipment and supplies on his golf course. Letter to Mr. Kallander informing him that obviously the Selectmen have no jurisdiction over his contractual agreement with the MDC for the construction of any building on his golf course. He would have to acquire a Site Plan Permit from the Board of Selectmen in order to construct a permanent structure. Mr. Kallander should contact the MDC's Land Management Division in Boston to aid him in this problem. He could contact Mr. Matera and Mr. Ginsberg.

Board noted 1/25 letter from State Div. of Employment Security answering Board's 1/17 letter suggesting that some local advisory council be established for the purpose of improving channels of communication with local Boards of Selectmen. There will be a briefing on 2/4 at the Howard Johnson's 57 Motel on Stuart St., Boston to be conducted by the Dept. of Labor.

LICENSES

Board of Selectmen granted an Annual Auctioneer's License to Lee J. Bellisario, Pres. of New England Rare Coin Auctions. License Fee was set at \$15.00 and was signed by Ch. T. W. McAuliffe, Selectman W. L. Zolli and Sel. L. J. Bartolini as the LICENSING AUTHORITY.

Selectmen signed TW # 70 in the amount of \$120,466.06

Selectmen signed TW # 71 in the amount of \$ 2,579.30

Selectmen signed TW # 72 in the amount of \$ 50.00

STATE LEGISLATORS

Letters to Senators Edward Burke and Daniel Foley and to Rep. Richard Rogers re House Bill 26, an Act to provide State assistance for strengthening local planning and management capability. The Town strongly supports the creation of State assistance for this type of program. House Bill 30, an Act establishing a procedure for the rescission of statutes previously accepted by cities and towns. The Selectmen feel that this is the only realistic solution to some of the home-rule problems created in the past.

TOWN DEPARTMENTS

Letter to Town Clerk Paul Berry informing him of the Board's vote to institute the Electrical Permit Fee Schedule and make it effective April 1, 1977. The new schedule is to be posted and is attached to said letter to Mr. Berry.

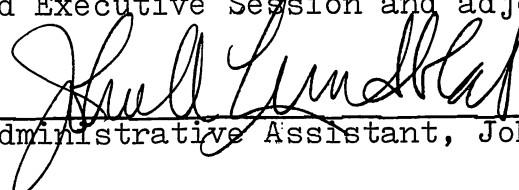
Letter to James McCaw, Wiring Inspector, re his correspondence to Bld. Insp. Phaneuf dated Nov. 16, 1976 and inform Mr. McCaw that his proposed fee schedule was voted by the Board of Selectmen to become effective April 1, 1977.

Letter to Richard Sewell, Pres. of Moyen Const. Corp. of 14 Main St. informing him that the Board shall notify Wiring Insp. McCaw that it is acceptable for Moyen Const. to have power brought on site at its construction equipment yard on Boston Road (Rt.30) for the exterior lighting of the yard with an option for an outdoor electrical service. This permission in no way is to be construed as permission to wire the storage trailers or any other structures in this construction yard. This permission is to utilize electrical tools and appliances if needed on an emergency basis. cc: Bldg. Insp. Phaneuf and to Wiring Insp. McCaw.

Board noted request from Board of Assessors dated 1/27/77 asking for the services of the Town Counsel to discuss an Appellate Tax Board case. Legal

10:17 pm. VOTED to end Executive Session and adjourn this meeting.

jal/gw


Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

February 8, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. L. J. Bartolini, Sel. W. L. Zolli, Admin. Assistant John Lundblad, members of the press and three interested citizens.

7:40 p.m. In the presence of Town Clerk Paul Berry, Selectmen drew two jurors for jury duty: (1) Warren Meier, Stow Rd., and (2) Hamilton Armstrong, Flagg Rd.

Selectmen signed Treasury Warrant #73 for \$46,548.48 and TW #74 for \$11,021.59.

8:00 p.m. Selectmen met with Helen Wade of the Marlboro People's Council. Ms. Wade was in search of permanent funding for

8:15 p.m. her organization through towns and the city of Marlboro.

She indicated that the Council has been serving the Boroughs and Hudson for three to four years. Marlboro generally has been the only City paying and would like more towns brought in. She presented the Selectmen with an evaluation of the program, indicating that 107 families in Hudson, 22 families in Northboro, 74 in Southborough, 56 in Westborough and an undetermined number have been served by the Council. She had hoped to have an Article placed in the next year's Town Meeting for funding of the Marlboro People's Council. It is now funded by CETA. Sel. Zolli wanted to take exception with her statements concerning the discharge of patients from Westborough State Hospital. That's an increased problem for the area. He indicated that the Mental Health Clinic offers substantial followup services and that her comments about a total lack of the institutionalized care is a gross exaggeration. Sel. Bartolini questioned their procedures in regard to helping, felt that there are a number of agencies doing this, many of them Federally funded, some of them State funded, and some just local officials. He took exception to her statement that they are the only agencies serving the needy in the area. Her request was taken under advisement.

8:15 p.m. Selectmen held a Hearing for the transfer of a liquor license from Southborough Associates, Inc. to Mortony

8:49 p.m. Enterprises, Inc. d/b/a Tony Dee's Restaurant. Town Counsel Busconi was present as well as John Quirk, Manager of Southborough Associates, Inc. d/b/a Olde Salt Restaurant, the transferee Morton Ben-Maor, Anthony DiAngelis, Mr. Munzert - attorney for Mortony Enterprises, Inc., and Laurence Cohen - an attorney representing a creditor of Southborough Associates, Inc. Chairman McAuliffe asked if the abutters had been notified. Mr. Quirk furnished the notifications. He requested an affidavit of Mr. Quirk and a vote of the Board of Directors. This is to furnish as well as citizenship of Mr. Ben-Maor, corporation papers of Mr. Ben-Maor and term of occupancy for Mr. Ben-Maor. The Selectmen reviewed all documents. Citizenship papers were in the form of a passport. Sel. Zolli had no questions. Sel. Bartolini asked questions re the second mortgage - what is his role in the second mortgage that is being held by Daniel and Helen Brandano. He felt that they were discussing something of property here. There was among these documents a copy of the purchase and sale agreement with reference to a letter from an attorney who is not present. Also, in Item 17 in the purchase and sale agreement it mentioned an apartment for Mr. Quirk. This is a single family home.

There are no apartments there. This must be a violation of the By-Law. Sel. Bartolini questioned as to what is happening with the motel. No mention has been made of the motel except there was significant discussion of efficiency units. Finally, the restaurant, what is expected in the restaurant. What sort of activity is contemplated? Mr. DiAngelis noted this would be a gourmet type restaurant with a cocktail lounge. They did not contemplate live entertainment, maybe a piano bar or something like that. They plan to keep the motel just the way it is and not consider efficiencies or anything like that. Sel. Bartolini asked if all the health permits had been recertified since they had been withdrawn. Mr. Ben-Maor indicated that they had applied. Ch. McAuliffe asked for Mr. Ben-Maor's home telephone number as required by the Alcoholic Beverages Control Commission. This was furnished (481-0776). Town Counsel Busconi asked Mr. Cohen to identify himself and asked who he represented. He represented the Atlas Distributing Co. and had no questions or comments. Mr. Quirk was informed that he would have to furnish a certificate of the Board of Directors and Trustees authorizing him to execute this transfer document, also correspondence from the Brandano family. Sel. Zolli MOVED approval of the transfer. Sel. Bartolini seconded the Motion. There was a discussion. Sel. Bartolini requested this matter be taken under advisement, that the Motion be left on the table; that they not approve it because a decision will be reached later in the evening. The Motion was left on the table at 8:49 p.m. Sel. Bartolini informed them he had a problem with the purchase and sale agreement, especially the wording concerning efficiencies.

8:56 p.m. The Board of Selectmen went into Executive Session upon to Motion made by Selectman Bartolini, seconded by Sel. Zolli.
9:18 p.m. It was a unanimous VOTE to go into Executive Session with Fire Chief Edward Brock to discuss matters that come under the Open Meeting Law which can't be discussed at Open Meeting. Reason for Executive Session: character, reputation, health or welfare of certain individuals that reside in the domiciles of the Town of Southborough. It was announced that the regular meeting shall reconvene at the conclusion of the Executive Session.

9:20 p.m. Selectmen met with Robert McCabe and Donald Robinson of to Massachusetts Electric Co. and Town Counsel Busconi,
10:10 p.m. Advisory Committee members: Chairman Richard Bowen, Nelson Goldin, Jeanne Duggan, William Pires, Sherman Ball, and Edward Chaput, (members of the press and three citizens were also present) to discuss the Street Lighting Contract. Ch. McAuliffe read correspondence between Mr. McCabe and J. A. Lundblad setting up this hearing as well as correspondence notifying Mass. Electric that since contracts S21, S22 expire in June of 1977, the Board of Selectmen wishes to exercise its option to re-negotiate this contract and so notify the power company at least six months prior to the renewal date. Mr. McCabe made a presentation informing the Board that there were 834 lights under the S21 Contract, which does expire this year; and there were 110 under the S22 Contract which expires next year. He felt, however, that the rate per light is set by the DPU and there is very little that can be negotiated except for the number of lights. He realized that the cost of lighting has been stable since 1974 except the fuel adjustment charge, which has been a serious problem

for a number of towns. After repeated discussion it was the consensus of this meeting that the only way this budget could be reduced would be to remove lights or sodium lights could be used. They are less expensive per kilowatt hour, but they do have a higher capital and installation cost. They are also not used in traffic or residential areas but in commercial and high-crime areas. Mr. Bowen requested information concerning any potential increases. Mr. McCabe stated there was a rate change going into effect this year on incandescent lights which is a minor increase in the overall \$61,000 budget. The increase could be about \$800.

Mrs. Duggan indicated that she felt one of the things we were supposed to do with our national energy crisis was to conserve. Is this not a way to both conserve both electricity and valuable energy resources? Mr. McCabe, replying to Mrs. Duggan's comments, said that lighting is an asset; it prevents accidents; it deters vandals. It is not a misuse or waste of energy. Power plants have to run all night, they have to run all the time to provide power to any use. While lighting is on during the peak use in the winter-time from 4 to 7, it is not on at that time during the summer peak use. It runs all night when the power plants are still providing power but demand is low. Therefore, the per-unit cost is exceptionally low. This is not an extra; this is not a waste. The capital outlays are very high in the power company; it costs a lot of money to make a plant. It costs a lot of money to buy lights. However, this is one of the ways all of us can recoup and bring down the overall cost of power - is to sell power for street lights at night instead of wasting that power. Again he brought the message from the executives of Mass. Electric, New England Power: that they have to force compliance with this contract; they have no option except to force compliance of any written contract. During re-negotiation, this, of course, is a different matter and the whole issue is up for discussion.

Chairman McAuliffe stated that a number of months ago, even a number of years ago, the issue came before the Town Meeting, two Town Meetings back, when the Street Light Budget was cut, the Board of Selectmen had ads in numerous newspapers and made public appeals for people to step forward and offer to have the light in front of their house removed to conserve energy to save money. Only two people stepped forward, according to Ch. McAuliffe, both of them asking that their neighbor's street light be removed, but not their own. Mr. Robinson indicated that the cost for street lights is well below the metered rate that you pay on a house or in industry because it is almost totally off-peak. Mr. Chaput asked who owned the lights. Mr. McCabe said Mass. Electric. Mr. Ball asked whether or not this power could be metered or if it was a flat fee. Mr. McCabe said it was a flat fee, that the cost of metering each and every light and inspecting each and every light would undoubtedly increase the rate. Mr. Ball wanted to know how often broken lights were checked or lights that were burnt out. Mr. McCabe said a truck is not dispatched with each complaint, but wait until a list of complaints have been received to justify the expenditure of dispatching a vehicle. They establish a trouble order system and basically rely on customers to inform them of outages and obviously instruct all of their crew and personnel to report them as they see them. But they do not have people circulating throughout

the region just to identify these. Mr. Ball indicated that he knew one that was on all day. Mr. McCabe said he would have the photo-cell fixed since the customer didn't notify him or the crews. Mr. Robinson further stated that the power in New England is among the most expensive in the nation because of the cost of imported fuel. However, New England has the highest share of nuclear power which in the long run may be the cheapest. Mr. Robinson explained the fuel charge, explaining it is the total cost of fuel for all facilities. Naturally the cost of fuel for the atomic and the water power are virtually zero, but the cost of fuel for the oil-generated systems is very high. This total cost each month is divided by the total kilowatt hours sold, verified by the DPU and then applied to each and every user across the service district the next month. Mr. Bowen wanted to know if we could cut more than one per cent; if we could reduce 21% or 10% or whatever percentage we want after we've given notice. Mr. McCabe said he did not have the answer to that. However, he assumed that any re-negotiation allowed by the DPU could re-negotiate any issue that was not covered by law such as rates.

10:53 p.m. Selectman Zolli made a motion to strike his previous motion with respect to Southborough Assoc., Inc. and to make the following Motion: that the transfer from Southborough Associates, Inc. d/b/a Olde Salt Restaurant of its Common Victualer's All-alcoholic Bev. License on the premises located at 44-50 Turnpike Rd., Southborough, be transferred to Mortony Enterprises, Inc., Morton J. Ben-Maor, Manager, 56 Winch St., Framingham, including all previous restrictions applied to the Olde Salt Restaurant's License and all the other liquor licenses. This license is subject to all other Board permits that are necessary for conducting the business. Motion was seconded and unanimously voted as stated in the Motion.

11:05 p.m. Board went into Executive Session to discuss collective bargaining. Motion was made by Sel. Bartolini, seconded 11:26 p.m. by Sel. Zolli and unanimously VOTED. The press was notified that the meeting would not reconvene. This was a roll call voice vote. The meeting was held under the provisions of the Open Meeting Law allowing Collective Bargaining discussions to be included as Executive Session material. Present at the Executive Session were the Selectmen, Admin. Assistant Lundblad and Town Counsel Busconi.

FEDERAL FUNDING

Selectman instructed Admin. Assistant Lundblad to write Congressman Joseph Early re our HUD Community Development Block Grant proposal and whether or not we could get EPA funding, Solid Waste Admin. funding, etc.

Board noted letters from Congressman Joseph Early and Office of State Planning Board endorsing Southborough's preapplication for a \$200,000 grant for the Dept. of Housing and Urban Development (HUD)

FEDERAL FUNDING (Cont.)

Board noted 2/2/77 letter from John Corrigan, Regional Director, U. S. Dept. of Commerce, Economic Development Administration, re Selectmen's letter of 1/17/77 concerning the application from Southborough. If there is another round of funding, and if it is decided that the projects already logged in will have first priority, then Southborough's project would be considered. Southborough's project (No. L-MA-0535-0) indicates that it has been logged in.

STATE FUNDING

Board noted 2/2/77 letter from Maureen Mahar, Dir. of Bicentennial Activities, acknowledging Board's 12/3/76 letter. Ms. Mahar informed the Board that one-half of the monies left unspent after Nov. 30 deadline must be returned to the State. Check should be made payable to the Com. of Mass. in the amount of \$3,233.34 and sent to Ms. Mahar's attention. Letter to Ms. Mahar enclosing numerous payroll and payable forms totalling \$23,533.31 and the Selectmen await verification of this total prior to returning the sum of \$3,233.44 in unexpended funds.

STATE AGENCIES

Letters to Water Supt. Binder, Highway Supt. Boland and Chairman of the Planning Board L. Kimball enclosing copy of correspondence dated 2/4/77 from DPW, Boston, concerning driveways on state highways. Chap. 81, Section 21 of the General Laws requires that a permit must be obtained from the State DPW for a driveway opening or street opening onto a State Highway.

APPOINTMENTS/RESIGNATIONS

Letter to Mary Jane Martinson expressing the Board's regret upon learning of her resignation from the Advisory Committee effective 1/31/77.

2/3/77 letter from Town Clerk Berry was noted which informed the Board that Arthur L. Sisson, Jr., 10 Lyman St., was duly sworn-in as a member of the Board of Assessors on Feb. 3 at 3:30 p.m.

Board noted 2/3/77 letter from Moderator Charles Swartwood to Town Clerk Paul Berry appointing Robert A. Worters, Jr., 4 Pearl St. to the Capital Budget Planning Committee to fill the unexpired term of Myles O'Reilly who resigned 11/1/76.

TOWN BOARDS

Board noted 2/2/77 letter from Fire Chief Brock enclosing a copy of the projected capital expenditures through Fiscal 82-83 which has been submitted to the Capital Budget Planning Committee. Fire Chief Brock will be meeting with the Cap. Budget Pl. Com. on 2/8/77 at 7:30 p.m. in the Civil Defense Headquarters.

TOWN DEPARTMENTS

Legal. 2/7/77 letter from Attorney William Brewin was noted in which was enclosed (1) Judgement of Dismissal in the case of McAuliffe et al vs. Pond et al, (2) Judgement of Dismissal in the case of McAuliffe et al vs. Cappello, and (3) Judgement of Dismissal in the case of Limelight vs. McAuliffe et al.

ZONING

Board noted 2/3/77 Decision of Zoning Board of Appeals denying petition of Fire Station Building Committee with respect to a variance for the new fire station on the property located at 19 Main west of the existing Police Station.

2/3/77 Decision of ZBA granting petition of Joseph and Dorothy Bertozzini, 65 School St., a variance for the property located at or near 65 School Street. This Variance is for the total property with the provision the private ways will meet all the standards of the Town.

11:26 p.m. VOTED: to adjourn the meeting.

.....John A. Lundblad.....
John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

February 15, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. William L. Zolli, Sel. Louis J. Bartolini, Administrative Ass't John A. Lundblad, two citizens and members of the press.

8:15 p.m. JACK MYRON, ASHLAND SUPT. OF PUBLIC WORKS, along with the to CHAIRMAN OF ASHLAND PUBLIC WORKS COMMITTEE CHESTER DRAKE,

8:55 p.m. PUBLIC WORKS COMMITTEE MEMBER NORMAN STONE, FINANCE COMMITTEE MEMBER CHARLES MACH and CHAIRMAN OF THE SANITARY LANDFILL STUDY COMMITTEE and CONSERVATION COMMISSIONER ARNE JOHNSON met with the Selectmen to discuss the possible use of the Southborough Transfer Station by the Town of Ashland. The Ashland representatives demonstrated an interest in utilizing the Southborough facility, asked a number of questions in regard to capacity, contract mechanics as well as limitations which Southborough's facility might have. Southborough's Highway Supt. JOHN BOLAND was not present due to a previous commitment with the Capital Budget Planning Committee.

9:00 p.m. Selectmen met with the ADVISORY COMMITTEE: Vice-Chairman to Pires, members Duggan, Ball, McClelland and Goldin. The 10:20 p.m. first issue discussed, without resolution, was the full or part-time Treasurer/Collector. The second issue discussed was the Legal Budget, again without resolution. Mr. Lundblad gave a presentation concerning the billed hours and informed Mr. Ball that we would have further documentation as soon as possible. Discussed the Central Services Budget and Buildings and Grounds Budget. Mr. Lundblad answered questions and gave a brief presentation on both. Approximately 10:15 p.m. the Chairman of the Board of Selectmen asked the Advisory Committee if it was in unanimous support of the Collective Bargaining as presented by the Town and as accepted by the Southborough Police Association. Because of possible misunderstandings, the Chairman requested a motion which was made by Selectmen Zolli and seconded by Selectman Bartolini that the Advisory Committee and Board of Selectmen go into Executive Session to discuss collective bargaining. It was announced that the Selectmen would reopen the meeting after the end of the Executive Session. Executive Session was from 10:20 p.m. to 11:30pm.

ZONING

Letter to Milton Raphaelson, Attorney, Worcester, acknowledging his letter dated 2/8/77 which was addressed to the Town Clerk concerning request for a Special Permit for a private club to conduct a business in a Residence A or B District. Formal application in writing must be made to the Board of Selectmen. CC: Town Clerk Paul Berry and Chairman of Zoning Board of Appeals John Rego.

TOWN DEPARTMENTS

Letter to George Labarre authorizing him to install a "Virgin Heat Saver" in the basement of the Fayville Village Hall for the purpose of conserving energy, heating that structure and drying out the basement. Board noted State Fire Marshal Joseph Schneider approval of Virgin Heat Saver manufactured by Virgin Distribution Co., Augusta, Maine.

Legal. Memo to Town Counsel Busconi asking whether or not it is the Treasurer who is "the responsible official representing the employer or a member of the School Committee or Administration". Request came from Treasurer Tanenholtz.

Legal. Memo to Town Counsel Busconi asking his opinion as to the legality of release form whereby Police Officers first on the scene may from time to time transport certain noncritically injured people to the hospital - release form to relieve the Police Dept. of any responsibility in such cases. If legal, what form should this document take.

Insurance. Memo to C. E. Williams Ins. Agency asking him to formally request of the American Ins. Co. a rider which would cover volunteers working at the new Fire Station construction. CC: Paul O'Connell.

Police. Board noted 2/10 letter from Mass. Police Institute to the Chief of Police re the fact that MPI will have to charge Police Depts. for some of its technical assistance services. MPI listed possible ways to obtain local funding for this purpose.

Legal. Board noted Dismissal by Superior Court of case of The Limelight Corp. d/b/a The Limelight vs. Thomas W. McAuliffe, Louis Bartolini and William L. Zolli, Selectmen of the Town and Stanley Lapon, Vernon Farnsworth, Jr. and A. Ernest Zangrilli, Alcoholic Beverages Control Commission.

PROCLAMATIONS

Chairman McAuliffe declared that Friday, March 11, 1977, shall be "Coffee Day" for crippled children and their Easter Seal Campaign in Southborough.

APPOINTMENTS/RESIGNATIONS

Motion was duly made and seconded and unanimously VOTED: to nominate Sereno Johnson, 120 Northborough Road, Southborough, Farmer, as Inspector of Animals. Selectmen then signed Department of Agriculture, Div. of Animal Health, form to be forwarded to the State, nominating Sereno Johnson. CC: Southborough Board of Health.

TOWN BOARDS

THUG.

Board noted letter dated 2/11/77 from Hughes & MacCarthy to Mr. S. William Whyte, Chairman of Emergency Finance Board, Boston, listing the trade breakdown of the construction cost estimate of the Town Hall renovation, which was requested at the hearing of 1/14/77.

THUG. Board noted 2/7/77 letter from Ropes & Gray to Mr. S. William Whyte, Chairman of the Emergency Finance Board, re the denial by the EFB of the Town's request for approval of a borrowing under Ch. 44, Sec. 7 (3A) of the General Laws to finance renovations of the Town Hall. Ropes & Gray asked that the EFB reconsider its rejection of the request at its next meeting.

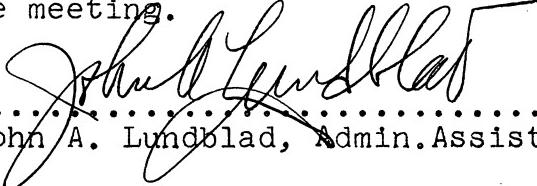
Board noted that the Personnel Board will hold a meeting for all Town employees on Tuesday, Feb. 22, 1977 at 8 p.m. in the upper Town Hall.

COUNTY

Board noted 1/3/77 communication from Wor. Co. Retirement System clarifying their communication of August 17 re their ruling that effective 9/1/76 all part-time employees must work at least 20 hours per week within a calendar year in order to be eligible to join the Worcester County Retirement System. This vote affects only those people who are hired after 9/1/76. Those employees who do not work 20 hours per week or 1,040 hours per year, are not eligible to join the System.

Selectmen signed Treasury Warrant #75 in the amount of \$119,181.92; also TW #76 in the amount of \$2,587.40.

11:30 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

February 22, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. William L. Zolli, Sel. Louis J. Bartolini, Admin. Ass't John A. Lundblad, Town Counsel F. A. Busconi, interested citizens, the press, Personnel Board members: David Hayward, Janice A. Fletcher, Michael Backer and their Clerk Eleanor MacLauchlan.

8:00 p.m. In the upper Town Hall the Personnel Board Members (above) met with Admin. Ass't John Lundblad. Town Counsel Busconi met in the Selectmen's office with the Selectmen. The meeting upstairs was with sixteen employees, Treasurer Stanley Tanenholtz and the press plus two interested citizens.

Issues discussed: Personnel Board announced that they were giving a 5.5% increase, no major reclassifications. They then took questions from the floor. Questions included: (1) why there are not more promotions to Step 5, the merit increase, (2) why is there a difference between vacation privileges of the Police Dept. and the Highway Dept., (3) why, during the transition from 44 to 40 hours, have certain people taken severe pay decreases, (4) why has there not been a creation of new positions such as the Transfer Station Operator as promised last year, and (5) why were the employees not brought in earlier to discuss this plan. In the case of the merit increase, the Personnel Board mentioned that they certainly would meet with Dept. Heads who were not giving them and determine if individuals were entitled to them who may not have been offered them. Re the difference in the vacation spreads, the Personnel Board reported that the Police were organized, had a negotiating team and negotiated for greater privileges. Re the other three questions, the Personnel Board indicated that they did not know why some people were getting less money. This was not supposed to happen. Furthermore, that new positions were supposed to be created and the Personnel Board was supposed to bring people in earlier. They apologized for the problems and said it would not happen again.

8:15 p.m. Bid opening for the Highway Dept. (1) Sander Body and (2) Sidewalk Tractor. Ch. McAuliffe read the legal ad as it appeared in the Worcester Telegram. Bids opened for the Sander Body were: J. J. Gregory & Son, Inc., East Providence, R.I. in the amount of \$6,945.00. Bids opened for the sidewalk tractor were: Davco, Inc., Southborough, MA in the amount of \$11,990.00.

Sel. Zolli made a Motion which was seconded, that the above bids be taken under advisement. VOTED: by voice vote and was unanimous.

8:30 p.m. Selectmen met in regard to the violations at The Limelight. Selectmen read the 2/15/77 violations letter addressed to Robert A. Queen, Manager of The Limelight, and also read the request for continuance from The Limelight's attorney Pacifico M. DeCapua dated 2/18/77. A continuance was GRANTED and the letter granting this continuance was read aloud. Hearing was unanimously VOTED to be postponed until March 15, 1977 at 9:00 p.m.

8:45 p.m. Advisory Committee met with the Selectmen. Present were: Adv. Com. Chairman Richard Bowen, George McClelland, Jeanne Duggan, Sherman Ball, Nelson Goldin, Edward Chaput. First to be discussed was the Legal Budget. Town Counsel Busconi and Admin. Ass't Lundblad answered most of their questions. Second topic discussed was a full or part-time Town Treasurer/Collector. This discussion lasted for an hour with the consensus being that the Advisory Committee felt that full-time was not necessary. Mr. Bowen was understanding and sympathetic with the Selectmen's plight in wanting more full-time staff. However, he was unconvinced that it was necessary. He felt that there were significant changes that were necessary but he felt that this was not the way to do them, that it was preferable to "beef up" the staff of the accounting office instead.

A compromise was reached. Sel. Zolli proposed that Haskins & Sells be brought in one week to discuss this issue and discuss their reasoning for recommending full-time. Mr. Lundblad is to meet with Mr. McClelland as soon as possible during the next week.

Sel. Zolli made a Motion which was duly seconded and unanimously VOTED: that the bid for the sidewalk tractor, including one tractor Model 44-44, one new 46/snow thrower, one new PLD 48 snow plow in the amount of \$11,990 be awarded to Davco, Inc., 61 BreakNeck Hill Rd.

Sel. Zolli made a Motion, which was duly seconded and unanimously VOTED: that the bid submitted by Crown-Chrysler, Plymouth, Inc. for one Police Cruiser be awarded in the amount of \$4,384.00.

Selectmen signed Treasury Warrant #77 in the amount of \$41,783.51 and TW #78 in the amount of \$10,688.46.

TOWN DEPARTMENTS

Letter to Highway Dept. Supt. Boland directing him as a department head to notify all members of the Highway Dept. that during the week of May 1-7 each member of his department shall be required to take a medical examination. Letter to Police Chief Mattioli also directing him to notify all members of the Police Dept. that during the week of May 1-7 each member of his dept. shall be required to take a medical exam. Same letter to Fire Chief Brock.

Letter to Fire Chief Brock requesting that he submit for payment bills for the patches and badges purchased for the Southborough Auxiliary Police Dept.

Building Inspector. Letter to Paul O'Connell, Jr., Planning Board, re his correspondence of 2/14 regarding the requirements for an occupancy permit for Lewis F. Horton. Town Counsel stated that under Section 120 of the State Building Code re existing buildings, it is not necessary for an occupancy permit to be issued when the use does not change as is the case with Mr. Horton. CC: Town Counsel Busconi and Bldg. Insp. Phaneuf.

Letter to Police Chief F. J. Mattioli requesting a written report re the series of conversations he has held with uniformed members of his dept., especially re the issues discussed at meeting of Friday, Feb. 11.

TOWN DEPARTMENTS (cont.)

Building Inspector. Letter to Mr. and Mrs. Enio Cipriano, 110 Main St., re their failure to acquire a certificate of use and occupancy as required under Sec. 120.0 of the State Building Code. CC: Bldg. Insp. and Town Counsel Busconi.

Board noted 2/22/77 letter from Town Accountant Hinckley to the Board of Assessors stating that she will not approve vouchers for travel unless the number of miles covered in the performance of their duties is stated. The number of miles times twelve cents a gallon is allowed. Receipts should also be attached for dues and meals for the meetings which have been attended. Board noted 2/22 memo from Town Accountant Hinckley to all department heads re travel, dues and expenses reimbursements informing them that vouchers for payment will not be approved unless accompanied by receipts.

FEDERAL FUNDING

Letter to Congressman Early asking for his continued support re the Town's application for funding for the renovation of the Town Hall. Selectmen would request both the publication list, as well as the annual reports for the Advisory Committee on Intergovernmental Relations for the past three or four years.

STATE FUNDING

Letter to Maureen Mahar, Cood. of Bicentennial Activities, forwarding for her review a complete new set of bills and vouchers for the Bicycle Path Construction Project.

STATE AGENCIES

Board noted 1/26/77 letter from State Group Ins. Commission enclosing a working copy of Chapter 32B of the General Laws with amendments through 12/31/76.

DPW. Board noted 2/16/77 letter from Brad Stroup, Data General Corp. to State DPW, informing them that the other abutters to the proposed stoplight on Rt. 9 will not be able to meet the DPW suggestions. Therefore, Data General formally requested that the light be installed at the location for the safety of Data General employees.

TOWN BOARDS

Board noted 2/22/77 letter from Fire Chief Brock, Chairman of the Fire Station Building Committee advising that the sub-bids will be opened by the Selectmen on March 15 at 8 p.m. and the General Bids will be opened on March 22 at 8 p.m. by the Selectmen.

STATE LEGISLATORS

Board noted 2/17 letter from Philip Mauch, Chairman of Southborough Board of Health, to James Kelly of the Ways and Means Committee stating that the Board of Health and the Board of Selectmen feel that Southborough belongs in the Worcester area in regard to the Central Mass. Assoc. Boards of Health redistricting some of the area towns into the Boston area.

ZONING

Board noted 2/14 letter from Attorney Charles B. Swartwood III re H. M. D. Realty Trust and application for various permits.

Board noted 2/24 letter from Bldg. Insp. Phaneuf to Morton J. Ben-Maor, Manager of Tony Dee's Restaurant, Turnpike Road, Fayville, notifying him that the signs which he has erected on his structure known as the Restaurant Lounge Building. Violation is under Section 1402.3 of the State Building Code and Section IV: 9E (1) of the Zoning By-Law.

10:55 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Ass't

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

March 1, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Louis J. Bartolini, Selectman William L. Zolli, Admin. Ass't John A. Lundblad; Audit Committee: William L. Zolli, Richard H. Bowen, Francis J. Wanemaker; Advisory Committee Richard H. Bowen, Jeanne Duggan, George McClelland and Nelson Goldin; Haskins & Sells: Henry DesPlaines, Frank Devonald and Lee Hunter; interested citizens; members of the press; Paul Berry and Stanley Tanenholtz.

To open the meeting Mr. McClelland of the Advisory Committee gave a brief presentation in regard to his concerns of the part-time/full-time Treasurer/Collector issue. Mr. Bowen added that an additional problem is that there is a definite lack of responsible position to implement many of the key recommendations. Second, he feels we should strengthen and upgrade the Town Accountant's function and create the Chief Financial Officer. Mr. Devonald of Haskins & Sells responded that there were a host of problems in these two offices when Haskins & Sells made their study, significant back work existed at that time, and he was unaware if that had been resolved or not. He felt that there was a changing environment in municipal management. When they were here the Treasurer was working full time plus, sometimes in excess of 60 hours and the Collector was working part-time and yet many key functions remained undone and in fact, untouched for years. With these facts in mind, Haskins & Sells recommended a full-time Treasurer/Collector. He noted that this represented a reduction in the total time of what it took two individuals to contribute under the system which existed when they were present as well as a significant professionalizing of the position. He stated if the position were to go part-time, that two major issues must be resolved. First, the Treasurer/Collector must be here during the working day. Haskins & Sells felt that they could not resolve the issue with evenings and after hours of the Collector or Treasurer. Second issue that had to be resolved was all of the back work. He felt that if the back work had not now been resolved, then it was necessary to go to a full-time Treasurer/Collector to insure that this work is solved as quickly as possible. Ch. McAuliffe indicated that there are significant problems, that many things still remain undone and he recommended that Mr. Lundblad comment on them - at which time he did, indicating that there are outstanding problems remaining in the Collector's Office as well as problems in the Treasurer's Office, that the situation has not improved since Haskins & Sells report was completed with minor exceptions. Mr. Bowen of the Advisory Committee informed the Selectmen and the press, as well as Haskins & Sells and the Audit Committee, that they have included in the Treasurer's budget the option to automate the payroll. Mr. McClelland asked Haskins & Sells for a job description. Frank Devonald felt that you would not find a part-time Treasurer/Collector. Further, he felt that part-time to Haskins & Sells for this job means between 30 and 32 hours, which is only 3 hours short of full-time. Mr. McClelland requested again some sort of an idea of what the Treasurer/Collector does. This was furnished by Mr. DesPlaines and Mr. Lundblad.

In discussing the timing of the implementation, it was the feeling of the Selectmen that to delay the collection problems was fiscally irresponsible since it has a greater impact on the tax rate than the

budgetary reporting problems. This could be rectified by strengthening the Accountant's position.

Search

The agreement was to instruct the T/C Committee: Mr. Dumont, Mr. Millholland and Mr. White, to advertise for a full-time with a part-time option. Twelve thousand dollars (\$12,000) will be placed in one of the two budgets, and if additional funding is necessary it will be forthcoming if the individual hired is that significant. If, when resumes are received and interviews concluded, there is an outstanding part-time candidate, then the Board of Selectmen agreed to consider this candidate with all others and to hire the most qualified person at the best price for the Town. This was the agreement of the Selectmen and the Audit Committee, Haskins & Sells and the Advisory Committee. The Selectmen announced to the press that they will recommend that the following nights be the Town Meeting nights: April 11, 12 and 14 - Monday, Tuesday and Thursday.

TOWN DEPARTMENTS

Memos to all departments, boards, commissions, organizations and interested persons announcing that the following nights will be recommended to be set aside for the Annual Town Meeting 1977 - Monday, April 11, Tuesday, April 12 and Thursday, April 14.

Letter to Police Chief Mattioli requesting that he report in writing on the conversations which he held with each member of his department concerning the matters discussed in his office in February between the Selectmen, Admin. Assistant and the Chief.

Letter to Police Chief Mattioli requesting that he prepare a roster which details which Reserve Officers are available for which duty shifts on a normal basis.

COMPLAINTS

Board noted letter dated Feb. 23 from Melgrove Realty Trust, F. J. Vassalotti, Trustee, alleging the unauthorized use of land they own on Mitchell Street. Letter to Mr. Vassalotti informing him that to date no correspondence has been received from Attorney Scipione dated 11/18/76 as claimed in Mr. Vassalotti's letter. The only recollection this office has in regard to this matter is the referral that was made to Highway Supt. Boland and to the Board of Health. The Selectmen desire a detailed explanation of the problem and alleged violation. CC: Town Counsel Busconi and Highway Supt. Boland.

TOWN BOARDS

Letter to Robert Dumont, Chairman of Treasurer/Collector Search Committee, informing him that the consensus of tonight's meeting is to advertise for a Treasurer/Collector without limiting the Town's options in regard to part-time or full-time service. The Selectmen instructed the T/C Search Committee to seek the most qualified applicant available whether that individual is willing or capable to serve full time or part time. This should be reflected in the advertisement for employment. The Committee should request of each individual as to their preference on the full time or part time position.

TOWN BOARDS (cont.)

Board noted 2/22 letter from Conservation Commission Chairman asking the Selectmen to remind Town Counsel to confirm letter written to him by the Conservation Commission dated Dec. 7, 1976. Memo to Town Counsel Busconi enclosing a copy of Conservation Commission's 2/22 letter, asking him to please respond to this request.

Board noted Certificate of Compliance dated 1/28/77 from the Conservation Commission re Crandall Hicks, Turnpike Road, stating that the Order of Conditions dated 2/26/76 has been satisfactorily completed.

Board noted Hatch Act Extension Permit from Conservation Commission dated 1/20/77 re Order of Conditions dated 2/11/76 to Dr. Grant Mayne, Middle Road.

Board noted Hatch Act Extension Permit from the Conservation Commission dated 1/28/77 re Order of Conditions dated 3/14/75 to Southborough Housing Authority, 49 Boston Road. This extension is good until March 1978.

Board noted Certificate of Compliance dated 1/20/77 from Conservation Commission re Robert Jandrue, 15 Rock Point Road.

ZONING

Letter to Mark G. Boli, N. E. Reg. Mgr. of Peugeot Motors of America, Inc. acknowledging his letter of 2/25 in which he requested an exemption to Southborough's Site Plan By-Law. The Selectmen have decided that it will not be necessary to Peugeot Motors to file a Site Plan for the vocational training of service technicians at the location of 37 Turnpike Rd. provided that the training program not continue beyond April 22, 1977, that no more than fifteen people shall be on the premises at any one time, including instructors, observers and participants and finally, that all parking must be provided on site.

PROCLAMATIONS

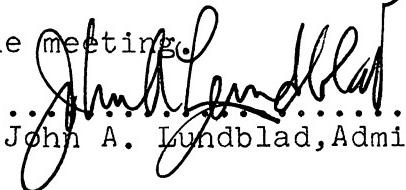
Selectmen proclaimed March 6-12, 1977 as Girl Scout Week and the Proclamation was signed by Chairman Thomas W. McAuliffe.

FEDERAL FUNDING

Board noted 2/22 letter from Congressman Early attaching a communication from Marvin Siflinger, Acting Area Office Director of HUD, Boston, in which Mr. Siflinger stated they are presently reviewing all pre-applications received in accordance with Section 570.402 of the Block Grant Regulations and will be rating them in terms of the Selection Criteria outlined therein. Congressman Early informed the Board that the decisions on the pre-applications will most likely be announced before the end of the week.

Selectmen signed TW #79 for \$389,084.88 and TW #80 for \$2,587.92.

10:11 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

MINUTES OF MEETING
BOARD OF SELECTMEN

March 8, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman William L. Zolli, Selectman Louis J. Bartolini, Admin. Assistant John A. Lundblad, Richard Bowen, League of Women Voters observers, one interested citizen and three members of the press.

Selectmen signed Treasury Warrant #81 in the amount of \$42,767.68 and TW #82 in the amount of \$12,004.57.

There were no appointments this evening.

TOWN DEPARTMENTS

Central Services. Letter to Philip Dube, Scoutmaster, Troup 1, Charles Hutchinson, Scoutmaster, Troop 26 and Thomas Schnare, Scoutmaster Troop 31, asking them to meet on March 29 at 7 p.m. in the office of the Board of Selectmen, Fayville Village Hall, to discuss the exact procedure of delivering the Warrants as well as the remuneration which the Town will offer each Troop.

Legal. Memo to Town Counsel Busconi requesting that he have all billed hours in for the Abortion Clinic Zoning Appeal since an Article may be included in the Special Town Meeting Warrant to replenish his Legal Budget for funds expended in this matter.

Permission was granted to Treasurer Stanley Tanenholtz to use the services of Town Counsel Busconi with regard to purchasing authority and related topics of a variable annuity life assurance plan which was submitted to Mr. Tanenholtz for approval.

Board noted March 2 letter from State Exec. Office of Consumer Affairs, Div. of Standards, notifying the Board that the Sealer of Weights & Measures has failed to submit his 1976 Annual Report, and request that the Board notify the Sealer of Weights & Measurers to do so in order that it may be incorporated in the final report of weights and measures activities in the Commonwealth.

Board noted March 2 from Irene C. Burkis, Director of Veteran's Affairs, notifying the Board that she will be taking military leave in Boston during March 28 through April 12. The office will be open as usual.

Board noted 3/8/77 letter from Town Accountant Hinckley to Board of Water Commissioners informing them that she withdrew one of the bills payable because of the fact that under Chapter 40, Section 4B of the General Laws, any purchases of \$2,000 or more shall have to be awarded by bid. The Town Accountant did not have a copy of the bid from Ti-Sales, Inc. and it was found that it did not go out for bid. Town Counsel should investigate this matter.

FEDERAL FUNDING

Letter to Amy Moran, Acting CETA Director re the groundskeeper at the Cemetery. The Selectmen concur with her findings in regard to the Maintenance of Effort clause. The Selectmen request that this position be withdrawn without prejudice and that one of the other positions which have been requested be authorized for funding.

TOWN BOARDS

Memos to the Water Commissioners and the Cemetery Commissioners re physical examination for department members. The Selectmen suggest that these departments also consider a similar action for their employees, for the long-range liability which must be assumed by the residents of the Town in the case of disability retirements more than justifies the modest expense required for annual physicals to insure against overweight, high blood pressure, and hypertension.

Letter to Donald Banks, Ch., Southborough Housing Authority, enclosing a copy of correspondence from Arthur Taylor, Jr., Ch. Council on Aging, re a meeting place for the Council on Aging. The Selectmen respectfully request that the Southborough Housing Authority reconsider its decision concerning the Council on Aging.

Letter to James Higgiston, Ch. Trustees of Southborough Public Library, requesting the Trustees to choose one of the three possible property line options of land received from St. Mark's School. This should be reported to Highway Supt. Boland who will report same to Mr. Sullivan of McCarthy & Sullivan who will finalize these plans. This cannot be recorded in the Worcester County Registry of Deeds until this has been accomplished.

LICENSES

Letter to Attorney Pacifico DeCapua forwarding a complete copy of the reports from the Southborough Police Dept. concerning the Limelight Corp. The rescheduled hearing will be held at 9 p.m. on March 15, 1977 in the meeting room, second floor, Fayville Village Hall. Selectmen request that Attorney DeCapua notify Mr. Queen of the change of hearing location, and the date and time of the hearing. CC: Town Counsel Busconi and Police Chief Mattioli.

STATE AGENCIES

Dept. of Public Works.

Board noted 2/25/77 letter from Western Electric stating that it is not at all interested in any change to its traffic flow now that they are established and operating. (re proposed traffic light on Rt. 9 near Data General)

8:30 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

March 15, 1977

7:30 p.m. Present: Chairman T. W. McAuliffe, Sel. W. L. Zolli, Sel. L. J. Bartolini, Admin. Assistant J. A. Lundblad, and members of the press.

Selectmen signed TW #83 in the amount of \$134,489.68 and TW #84 in the amount of \$2,699.10.

8:00 p.m. Fire Station Sub-bid Opening. Thirty-two sub-bids for four different construction phases for the Town's new Fire station were opened by architect John F. Miller of Hill, Millder, Friedlaender, Hollander, Inc. of Cambridge. Ten bidders were present as well as Fire Chief Brock and Mrs. Brock. List of sub-bids is attached to these Minutes.

9:00 p.m. Hearing was held on The Limelight liquor license violations.
to Present: Manager Robert A. Queen and Attorney Pacifico

11:00 p.m. DeCapua and several witnesses. (A copy of this Hearing as transcribed from tapes is attached.)

TOWN DEPARTMENTS

Highway. Letters to all industries, all gas stations, all Class I and Class II Automobile License Holders and all trucking outfits located in the Town of Southborough informing them that beginning July 1, 1977 all commercial and industrial establishments located in the Town will be charged by the ton for all waste disposal at the Transfer Station.

Legal. Board noted 3/11/77 letter from Town Counsel Busconi enclosing a copy of a letter from Paul Decenzo together with a copy of a letter received from John Campbell, attorney with Maryland Ins. Co. with reference to Bare Tracts, Inc. vs. Paul O'Connell et al. (Southborough Farms Subdivision) Mr. Decenzo informed Mr. Busconi that Bare Tracts acquired the remaining lots on Fairview Drive and High Ridge Road in the Southborough Farms Subdivision and is now in a position to discuss completion of the entire unfinished portion of Fairview Drive, High Ridge Rd. and the stub road. Fantoni Co. will provide labor, materials and engineering services required by the Planning Bd. to complete the subdivision and So. Middlesex Coop. Bank will provide the financing contingent upon the covenant issue being resolved with the Plan. Bd.

TOWN BOARDS

Letter to Board of Water Commissioners enclosing copies of correspondence to Whitman & Howard, Inc. as well as the Mass. Elec. Co. and NET re the replacement and upgrading of Pole #42, Boston Rd.

LICENSES

Letter to Robert A. Queen, Mgr. of The Limelight, enclosing his License for Public Entertainment on Sunday which expires January 29, 1978. This should be posted in a conspicuous place on his premises. This was approved by the State Dept. of Public Safety and signed by John F. Kehoe, Jr., Commissioner.

Common Victualer's License signed by the Selectmen for Mortony Enterprises, Inc. d/b/a Tony Dee's Restaurant.

APPOINTMENTS/RESIGNATIONS

Board noted State Certificate of Appointment of Inspector of Animals and the acceptance of this appointment by Sereno W. Johnson, 120 Northboro Road, as Inspector of Animals.

Board noted resignations from the Historic Celebration Committee of Joseph Duggan and Joseph Prior, Jr.

VOTED: to adjourn the meeting at 11:00 p.m.


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Administrative Assistant J.A. Lundblad

jal/mp

SOUTHBOROUGH FIRE STATION

Bid Openings

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS 3-15-77				G. C.	CHECK RET.
				Masonry	Plumbing	Misc.-Metal	W-D-C		
1.	Aliberti Bros., Inc. 405 Main St. Wakefield, Mass. 01880	G.C.	1	21,000 1 (2,000)				-22-77 236,449	
			2					- 29,006	
			3					+ 1,200	
								- 2,480	
2.	American Waterproofing Co. 359 Boylston St. Boston, Mass. 02116	W-D-C	1				3,200 (900)		
			2						
			3						
3.	Assabet Construction Corp. 3 Pope St. Hudson, Mass. 01749	G.C.	1						
			2						
			3						
4.	Auciello Iron Works Inc. P.O. Box 277 355 Western Ave. Brighton, Mass. 02135	M.M.	1				11,954 (4,100)		
			2						
			3				(1,200)		
5.	Ayles Plumbing & Heating Co. 40 Oval Rd. Quincy, Mass. 02170	Plbg.	1				4,900 (1,100)		
			2						
			3						
6.	Chapman Waterproofing Co. P. O. Box 36 Uphams, Mass. 02125	W-D-C	1				3,768 (265)		
			2						
			3						
7.	F. Chiavarini Construction Co., Inc. 10 Nichols St. RFD #1 Framingham, Mass 01701	G.C.	1	36,000 (6,000)				196,968 - 26,442	
			2					+ 2,100	
			3					- 2,000	
								199,147 - 36,302 + 2,800 - 2,286	
8.	Colangelo Construction Co. 160 Sterling St. West Boylston, Mass. 01583	G.C.	1	45,671 (8,495)				205,140 - 32,263 + 2,600	
			2						
			3						
9.	DiRico Construction Co., Inc. 3 Regis Rd. Medford, Mass. 02155	G.C.	1	38,000 (8,000)				205,140 - 32,263 + 2,600	
			2						
			3						
10.	Donahue Construction Inc. 9 Fox Hill Rd. Shrewsbury, Mass. 01545	G.C.	1	40,000 (3,000)				205,140 - 32,263 + 2,600 - 2,130	
			2						
			3						

LL/2277

SOUTHBOROUGH FIRE STATION

Bid Openings

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	3-15-77				G. C.	CHECK RET.
				Masonry	Plumbing	Misc.-Metal	N-D-C		
11.	Donel Iron Works Inc. P. O. Box 168 Kingston, N. H. 03848	M.M.				13,995			
			1			(660)			
			3			(1,300)			
12.	Empire Masonry Co. 27 Turner St. Dedham, Mass. 02026	Masonry		38,900					
			1	(3,950)					
			2						
			3						
13.	H. A. Fafard & Sons Construction Inc. 56 Fruit St. Ashland, Mass. 01721	G.C.							
			1						
			2						
			3						
14.	R. W. Granger & Sons 415 Boston Turnpike Shrewsbury, Mass. 01545	G.C.						219,600	
			1					- 29,000	
			2					+ 2,875	
			3					- 1,923	
15.	W. Hickey Co. Box 6 North Attleboro, Mass. 02761	G.C.							
			1						
			2						
			3						
16.	Hoel Construction Co. P. O. Box 122, Main Street West Millbury, Mass. 01586	G.C.		30,000				199,900	
			1	(5,000)				- 31,000	
			2					+ 2,800	
			3					- 2,200	
17.	Hub Steel & Iron Works 1660 Hyde Park Ave. Hyde Park, Mass. 02136	M.M.				12,920			
			1			(490)			
			2						
			3			(1,520)			
18.	Edward C. Kelly Co. 9½ Allen St. Praintree, Mass. 02184	Plbg.			6,040				
			1		(522)				
			2						
			3						
19.	George LaBarre Plumbing & Heating Co. P. O. Box 17, 36 Bigelow Rd. Southborough, Mass. 01772	Plbg.			5,230				
			1		(1,550)				
			2						
			3						
20.	William F. Lynch Co., Inc. 11 Canterbury St. Worcester, Mass. 01610	Plbg.			7,400				
			1		(1,100)				
			2						
			3						

CITY OF BOROUGH H FIRE STATION

Bid Openings

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS				G. C.	CHECK RET.
				Masonry	Plumbing	Misc.-Metal	W-D-C		
21.	F. W. Madigan Company Inc. 54 Mason St. Worcester, Mass 01610	G.C.	1	24,500		6,500	2,750	199,887	
			1	(7,500)		(750)	(500)	- 35,000	
			2					+ 2,800	
			3					- 2,000	
22.	Raymond G. Mansour, Inc. 21 Medford St., P.O. Box 1139 Lawrence, Mass. 01842	G.C.	1						
			2						
			3						
23.	Mid-State Plumbing & Heating, Inc. 68 Francis St. Worcester, Mass.	Plbg.	1		1,320				
			1		(1,816)				
			2						
			3						
24.	Moyen Construction Corp. 14 Main St. Southborough, Mass. 01772	G.C.	1	46,600				219,400	
			1	(10,000)				- 38,400	
			2					+ 2,500	
			3					- 2,400	
25.	Ornamental Iron Shop Inc. 717 Fuller Rd. Chicopee Falls, Mass. 01020	M.M.	1		13,290				
			1		(510)				
			2						
			3						
26.	Raymond Concrete Construction Inc. 120 Holden Rd. Paxton, Mass. 01612	G.C.	1					189,774	
			2					- 20,792	
			3					+ 2,850	
								- 1,800	
27.	Rocheford Construction Co., Inc. 227 West Central St. Natick, Mass. 01760	G.C.	1	32,000				196,000	
			1	(7,200)				- 29,500	
			2					+ 2,500	
			3					- 2,700	
28.	Royal Steam Heating Company 499 Main St. Gardiner, Mass.	Plbg.	1		6,550				
			1		(2,550)				
			2						
			3						
29.	E. T. Ryan Iron Works Inc. 1027 Turnpike St. Canton, Mass. 02021	M.M.	1			10,706			
			1			(1,306)			
			2						
			3			(1,773)			
30.	Standard Steel & Iron Works 165 Walnut St. Watertown, Mass. 02172	M.M.	1			11,392			
			1			(807)			
			2						
			3						

SOUTHBORO FIRE STATION

Bid Opening

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS 3-15-77				G. C.	CHECK RET.
				Masonry	Plumbing	Misc.-Metal	W-D-C		
31.	Start-Rite Corp. 120 Arlington St. Framingham, Mass. 01701	Masonry	1	49,000					
			1	(4,800)					
			2						
			2						
32.	C. Richard Stevens & Associates Inc. X 8 Horseshoe Drive Grafton, Mass. 01519	G.C.		26,500				206,500	
			1	(7,500)				- 35,900	
			2					+ 2,800	
			3					- 2,100	
33.	Stronghold Masonry Inc. 287 Concord Rd. Wayland, Mass. 01778	Masonry		48,120					
			1	(10,000)					
			2						
			3						
34.	Jim Walsh Plumbing & Heating 8 Autumn St. Worcester, Mass. 01603	Plbg.		5,350					
			1	(1,350)					
			2						
			3						
35.	Waynrich Inc. 126 Arlington St. Framingham, Mass.	G.C.						233,620	
			1					- 13,500	
			2					+ 2,150	
			3					- 1,700	
36.	Westgate Construction Corp. 150 Speen St. Framingham, Mass. 01701	G.C.		43,000				208,900	
			1	(9,500)				- 25,000	
			2					+ 2,530	
			3					- 1,900	
				1					
				2					
				3					
				1					
				2					
				3					
				1					
				2					
				3					
				1					
				2					
				3					

SOUTHBOROUGH FIRE STATION

Bid Opening

BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS 3-15-77				G. C.	CHECK RET.
			Masonry	Plumbing	Misc.-Metal	W-D-C		
Aliberti Bros., Inc. 405 Main St. Wakefield, Mass. 01880	G.C.	1	24,000 (2,000)				22-77	236,449 - 29,006 + 1,200 - 2,480
		2						
		3						
American Waterproofing Co. 359 Boylston St. Boston, Mass. 02116	W-D-C	1						(900)
		2						
		3						
Assabet Construction Corp. Pope St. Madison, Mass. 01749	G.C.	1						
		2						
		3						
Auciello Iron Works Inc. P.O. Box 277 355 Western Ave. Brighton, Mass. 02135	M.M.	1			11,954 (4,100)			
		2						
		3				(1,200)		
Ayles Plumbing & Heating Co. 40 Oval Rd. Quincy, Mass. 02170	Plug.	1		4,900 (1,100)				
		2						
		3						
Chapman Waterproofing Co. P. O. Box 36 Uphams, Mass. 02125	W-D-C	1			3,768 (265)			
		2						
		3						
F. Chiavarini Construction Co., Inc. 10 Nichols St. RFD #1 Framingham, Mass 01701	G.C.	1	36,000 (6,000)				196,968 - 26,442 + 2,100 - 2,000	
		2						
		3						
Colangelo Construction Co. 160 Sterling St. West Boylston, Mass. 01583	G.C.	1	45,671 (8,495)				199,147 - 36,302 + 2,800 - 2,286	
		2						
		3						
DiRico Construction Co., Inc. 3 Regis Rd. Medford, Mass. 02155	G.C.	1	38,000 (8,000)				205,140 - 32,263 + 2,600 - 2,130	
		2						
		3						
Donahue Construction Inc. 9 Fox Hill Rd. Shrewsbury, Mass. 01545	G.C.	1	40,000 (3,000)					
		2						
		3						

SOUTHBOROUGH FIRE STATION

Bid Opening

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	SUP.	3-15-77	W-D-C	G. C.	CHECK RET.
				Masonry	Plumbing			
11.	Donel Iron Works Inc. P. O. Box 168 Kingston, N. H. 03848	M.M.	1			13,995 (660)		
			2					
			3			(1,300)		
12.	Empire Masonry Co. 27 Turner St. Dedham, Mass. 02026	Masonry	1	38,900 (3,950)				
			2					
			3					
13.	H. A. Fafard & Sons Construction Inc. 56 Fruit St. Ashland, Mass. 01721	G.C.	1					
			2					
			3					
14.	F. W. Granger & Sons 415 Boston Turnpike Shrewsbury, Mass. 01545		1				219,600	
			2				- 29,000	
			3				+ 2,875	
							- 1,923	
15.	W. Hickey Co. Box 6 North Attleboro, Mass. 02761	G.C.	1					
			2					
			3					
16.	Hoel Construction Co. P. O. Box 122, Main Street West Millbury, Mass. 01586	G.C.		30,000			199,900	
			1	(5,000)			- 31,000	
			2				+ 2,800	
			3				- 2,200	
17.	Hub Steel & Iron Works 1660 Hyde Park Ave. Hyde Park, Mass. 02136	M.M.	1		12,920 (490)			
			2					
			3		(1,520)			
18.	Edward C. Kelly Co. 9½ Allen St. Praintree, Mass. 02184	Plbg.		5,040 (502)				
			1					
			2					
19.	George LaBarre Plumbing & Heating Co. P. O. Box 17, 36 Bigelow Rd. Southborough, Mass. 01772	Plbg.	3		5,230 (1,550)			
			1					
			2					
20.	William F. Lynch Co., Inc. 11 Canterbury St. Worcester, Mass. 01610	Plbg.	3		5,000 (1,100)			
			1					
			2					

SOUTHBOROUGH FIRE STATION

Bid Openings

No.	BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS				J. C.	CHECK RET.
				Masonry	Plumbing	Misc.-Metal	W-D-C		
21.	F. W. Madigan Company Inc. 54 Mason St. Worcester, Mass 01610	G.C.	1	24,500		6,500	2,750	199,887	
			1	(7,500)		(750)	(500)	- 35,000	
			2					+ 2,800	
			3					- 2,000	
22.	Raymond G. Mansour, Inc. 21 Medford St., P.O. Box 1139 Lawrence, Mass. 01842	G.C.	1			"			
			2						
			3						
23.	Mid-State Plumbing & Heating, Inc. 68 Francis St. Worcester, Mass.	Plbg.	1		500				
			2		(1,816)				
			3						
24.	Moyen Construction Corp. 14 Main St. Southborough, Mass. 01772	G.C.	1	46,600				219,400	
			1	(10,000)				- 38,400	
			2					+ 2,500	
			3					- 2,400	
25.	Ornamental Iron Shop Inc. 717 Fuller Rd. Chicopee Falls, Mass. 01020	M.M.	1			13,290			
			2			(510)			
			3						
26.	Raymond Concrete Construction Inc. 120 Holden Rd. Paxton, Mass. 01612	G.C.	1					189,774	
			2					- 20,792	
			3					+ 2,850	
								- 1,800	
27.	Rochford Construction Co., Inc. 227 West Central St. Natick, Mass. 01760	G.C.	1	32,000				196,000	
			1	(7,200)				- 29,500	
			2					+ 2,500	
			3					- 2,700	
28.	Royal Steam Heating Company 499 Main St. Gardiner, Mass.	Plbg.	1		6,100				
			1		(2,250)				
			2						
			3						
29.	E. T. Ryan Iron Works Inc. 1027 Turnpike St. Canton, Mass. 02021	M.M.	1			10,706			
			1			(1,306)			
			2						
			3			(1,723)			
30.	Standard Steel & Iron Works 165 Walnut St. Watertown, Mass. 02472	M.M.	1			11,522			
			1			(807)			
			2						
			3						

SOUTHBORO FIRE STATION

Bid Opening

BIDDER and ADDRESS	TYPE OF BID	ALT	SUBS	3-15-77	G. C.	CHECK RET.	
			Masonry	Plumbing	Misc.-Metal	W-D-C	3-22-77
Start-Rite Corp. 120 Arlington St. Framingham, Mass. 01701	Masonry	1	19,000				
		1	(4,800)				
		2					
		2					
C. Richard Stevens & Associates Inc. 8 Horseshoe Drive Grafton, Mass. 01519	G.C.		26,500			206,500	
		1	(7,500)			- 35,900	
		2				+ 2,800	
		3				- 2,100	
Stronghold Masonry Inc., 287 Concord Rd. Wayland, Mass. 01778	Masonry		48,120				
		1	(10,000)				
		2					
		3					
Jim Walsh Plumbing & Heating 8 Autumn St. Worcester, Mass. 01603	Plbg.		5,350				
		1	(1,350)				
		2					
		3					
Waynrich Inc. 126 Arlington St. Framingham, Mass.	G.C.					233,620	
		1				- 13,500	
		2				+ 2,150	
		3				- 1,700	
Westgate Construction Corp. 150 Speen St. Framingham, Mass. 01701	G.C.		43,000			208,900	
		1	(9,500)			- 25,000	
		2				+ 2,530	
		3				- 1,900	
		1					
		2					
		3					
		1					
		2					
		3					
		1					
		2					
		3					
		1					
		2					
		3					

MINUTES OF MEETING
BOARD OF SELECTMEN

March 22, 1977

7:30 p.m. Present: Chairman T. W. McAuliffe, Sel. W. L. Zolli, Sel. L. J. Bartolini, Admin. Assistant J. A. Lundblad, Town Counsel F. A. Busconi and members of the press.

Selectmen held a Hearing for Joint Locations--Existing Poles on a petition by New England Telephone and Mass. Electric re Boston Road for 1 pole at a point which is approximately 210 feet westerly of A Street (now known as Meadow Lane). Note: Pole has been renumbered. This was originally pole 43A. Water Supt. William Binder was also present. No representatives from the utilities were present. Sel. Zolli made a motion, seconded by Sel. Bartolini and unanimously VOTED to grant this petition.

7:45 p.m. Selectmen met as the Licensing Authority concerning the alleged violations of The Limelight Corp., 1 Southville Rd. Board of Selectmen, Town Counsel Busconi and Admin. Ass't Lundblad reviewed copies of the Transcript and Minutes of the Meeting of March 15, 1977 at which a Hearing was held on The Limelight liquor license violations.

Transcription of tapes taken at Meeting of Board of Selectmen~
March 22, 1977:

Chairman Thomas W. McAuliffe..Licensing Authority, Town of Southborough, Violation Hearing, Limelight Corporation Testimony taken on March 15, 1977. Findings:

Paragraph 1 as concerns entertainment conditions on license:
Date - January 8, 1977, January 27, 1977, January 28, 1977,
January 28, 1977, January 29, 1977, and February 13, 1977.
FINDING: Guilty (Selectmen voted unanimously by voice vote.)
ACTION TO BE TAKEN: We shall go through each one of these...

Paragraph 2 as concerns violations of Massachusetts General Laws Chapter 136 - Public Entertainment on Sunday. That was dated February 6, 1977. FINDING: Selectman Zolli: I would like to have a discussion on that.

Chairman McAuliffe: If you so desire.

Selectman Zolli: It seems to me that since the license was in transit that because of that circumstance - I don't know what your feelings are.

Chairman McAuliffe: It would appear the proper renewal of that license should have been taken care of in advance and the proper license should have been on the premises on the correct time.

Selectman Bartolini: I agree.

Chairman McAuliffe: So, therefore, GUILTY. Let the records show that regarding paragraph 2, it was the unanimous opinion of the Board - GUILTY.

Transcription of 3/22/77 tapes (continued)

Paragraph 3 as concerns regulations concerning posting of Liquor License, conditions of entertainment, and Sunday Entertainment License in a conspicuous location. - Date: January 29, 1977 and February 13, 1977. FINDING: Board of Selectmen voted unanimously by voice vote: GUILTY.

Paragraph 4 as concerns violations of Massachusetts General Laws and ABCC Regulations concerning cover charges - Date: February 13, 1977. FINDING: Board of Selectmen voted unanimously by voice vote: GUILTY.

Paragraph 5 as concerns violations of Massachusetts General Laws, Chapter 140, concerning dimming of lights - Date: January 29, 1977 and February 13, 1977. FINDING: Board of Selectmen voted unanimously by voice vote: NOT GUILTY.

Selectman Bartolini: I move we go into a fast Executive Session for five minutes. Instead of moving out everybody, we will go downstairs.

Chairman McAuliffe: Under what section of the Open Meeting Law do you...

Town Counsel Busconi: Possibility of litigation.

7:53 Chairman McAuliffe: The Motion has been made and seconded to p.m. go into Executive Session very quickly. All those in favor say to aye. Let the record show that the regular meeting of the Board 7:56 of Selectmen will reconvene at the close of the Executive Session p.m. and to reconvene at the close of said Executive Session.

7:56 Selectman Zolli: I move that based on the findings of the Board p.m. of Selectmen in the case of violations regarding The Limelight Corporation, that operations of The Limelight be suspended for seven (7) days.

Selectman Bartolini. Seconded.

Ch. McAuliffe: At this time I would like to state that I feel that a seven-day suspension is far too severe and would suggest that the Board consider a three-day suspension.

Sel. Bartolini: Due to the severity of the violations, the Board has no other choice to take. They were taken in here last November and forewarned with the conclusion of what was going to happen if they continued to operate under the system that prevailed at the time with this action would be prompted. It has come to our attention through complaints, through police investigation - I say the seven-day suspension is adequate, also it is a suspension that each and every license holder in the Town of Southborough, if a violation occurs in other places, be all treated independently and the severity will merit the suspension.

Selectman Zolli: I concur with Sel. Bartolini. Move the question.

Ch. McAuliffe: Therefore, all in favor of a seven-day suspension of the Liquor license of The Limelight Corporation - let the record show that the suspension will commence on the third of April and would end on the tenth of April 1977. All those in favor of the Motion say aye. All those opposed say nay.

March 22, 1977 Sel. Mtg. - Pg. 3

Transcription of tapes of 3/22/77(continued)

Ch. McAuliffe: Let the record show that Sel. Bartolini and Sel. Zolli VOTED in favor and Chairman McAuliffe was opposed.

Let the record also show that should The Limelight through its attorneys appeal this case that the Board will suspend the suspension of this license until such time as they find the decision has been reached by the ABCC.--end of tapes.

Selectmen released a statement to the press re Limelight findings.

8:00 p.m. General Bids for the Fire Station construction project were opened at this time. Present were: Fire Chief Edward F. Brock, Mrs. Brock, the Architect, Mr. Jones and Earl Smiddy. (See attached list of bidders.) Bids were taken under advisement.

8:30 p.m. Selectmen met with Advisory Committee members: Richard Bowen, Jeanne Duggan, Edward Chaput, George McClelland and Nelson Goldin. Issues discussed were requests for transfers from the Reserve Fund:

First: in regard to the sander body which had been put to bid with an insufficient amount of money in the account. The insufficiency was explained by Mr. Lundblad and further explained to Mr. Bowen that the reason the account was below appropriation was a bookkeeping error caused by our inability to encumber accounts.

Second: in regard to requests for transfer for maintenance people for the Town Hall and Fayville Village Hall. The consensus of the meeting was to bring this issue to the Personnel Board for their resolution since the payment of these employees on an hourly basis may give greater accountability, but it certainly is causing a severe budgetary strain.

Third: in regard to a transfer for utilities overruns at Fayville and Town Halls. Discussion surrounding Town Hall noted that this was virtually the end of the overruns for the Town Hall this year since the building is now empty.

Fourth: in regard to the Warrant and the overall cost of the Articles

Fifth: in regard to the Assessors overstating the tax rate increase and it was hoped that the Assessors, Advisory, Selectmen, Town Accountant and Capital Budget Planning Committee could get together in the very near future and determine what tax increase, if any, would be expected.

Sixth: in regard to the Special Town Meeting and the budget overruns which would have to be resolved in that Town Meeting - those being the Legal Budget, the Interest on Debt Budget and the Blue Cross/Blue Shield Insurance deficit.

Sel. Zolli made a Motion, seconded by Sel. Bartolini and it was unanimously VOTED to call a Special Town Meeting within the Annual Town Meeting of April 11, 1977.

Sel. Zolli opened the Special Town Meeting Warrant. Sel. Bartolini included the following Warrant Articles: the Interest on Debt payment, deficit in the Legal account, deficit in the Insurance account, and a Warrant Article to purchase a used or new grader. Selectmen then duly closed the Warrant of the Special Town Meeting.

Special Town Meeting Warrant was then reopened by Sel. Zolli and Sel. Bartolini and inserted the binding arbitration Article to instruct the Selectmen to petition the Legislature and the Governor concerning binding arbitration. Special Town Meeting Warrant was closed again by Sel. Zolli and Sel. Bartolini.

Sander contract was awarded to J. J. Gregory and Son, Inc., as per its bid of 2/21/77 in the amount of \$6,945.00. Sel. Zolli made the Motion. Sel. Bartolini seconded the Motion and it was duly VOTED unanimously by voice vote.

Selectmen signed TW #85 in the amount of \$500.00; #86 in the amount of \$39,801.10; #87 in the amount of \$11,591.88 and Rev. Sharing TW #10 in the amount of \$22.05.

Selectmen signed Special Permit for Pilgrim Church to sell wine and beer on Saturday, March 12, 1977 at the Reinke Building, Middle Road, from 7:30 p.m. to 1:00 a.m.

TOWN DEPARTMENTS

Legal. Letter to Inge Tufts, Chairman of the Conservation Commission informing her of the Board's VOTE to allow the Conservation Com. the use of the services of the Town Counsel to write the amendment for the wetlands Article on the Town Warrant. CC: Town Counsel Busconi.

Legal. Letter to Town Treasurer Stanley Tanenholtz informing him that the Board VOTED to allow him the use of the services of the Town Counsel re the Penn Central Transportation Co. CC: Town Counsel Busconi.

Legal. Letter to Town Counsel Busconi notifying him that the following work needs to be done: (1) finding of facts re Limelight liquor violation hearing, (2) letter of notification to The Limelight Corp. and their Attorney Pacifico DeCapua, (3) vote to allow the Treasurer to consult Town Counsel re Penn Central reorganization, (4) Town Counsel to review the Chief of Police's rules and regulations concerning disciplinary code, and (5) Town Counsel to review the transcript of The Limelight hearing in order to put it in final form.

Building Inspector. Board noted 3/17/77 letter from Attorney Charles Swartwood III responding to various letters written to H.M.D. Realty Trust re alleged Building Code violations on property owned by the Trust and located on Woodland Rd. Letter to James McCaw, Wiring Insp. and George Labarre, Plumbing Insp. asking their opinion concerning Attorney Swartwood's assertions in his 3/17/77 letter. CC: Bldg. Insp. Phaneuf and Town Counsel Busconi.

Board noted 3/17 letter from Town Accountant Hinckley to Board of Water Commissioners stating that both she and Town Counsel Busconi feel that the Water Commissioners are still in violation of G. L. Chapter 40. This matter is re the modernizing of the Badger Meters and the fact that this did not go out to bid and the amount being over \$2,000.

3/22/77 Sel. Mtg. - Pg. 5

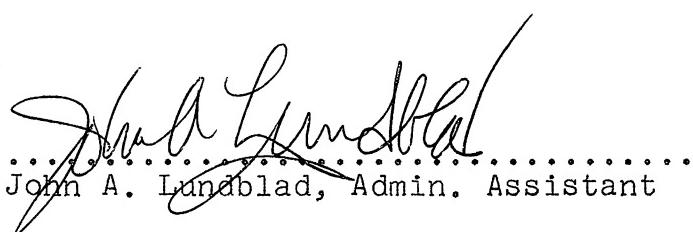
TOWN DEPARTMENTS (cont.)

Legal. Board noted Dismissal of case - Superior Court, Data General Corp. vs. Board of Selectmen.

TOWN BOARDS

THUG. Letter to Hughes and MacCarthy, Inc. enclosing duly executed statement from the Chairman of the Town Hall Users Group, the Board of Selectmen and the Southborough Building Inspector, assuring Hughes and MacCarthy that the Design Development Documents and Outline Specifications, pages 1 through 6 inclusive are hereby approved. CC: Paul Brefka, Chairman of Town Hall Users Group, Bldg. Insp. Phaneuf and Town Accountant Elaine Hinckley.

VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

March 29, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. William L. Zolli and Sel. L. J. Bartolini, Admin. Assistant John A. Lundblad, members of the press and Town Counsel F. A. Busconi.

8:15 p.m. Selectmen met with Garry Barnes. Mr. Barnes informed the Selectmen that he had surveyed the property he purchased from Clovis Lamy and found that he owned the quarry located off Parkerville Road. He noted that his original deed stated that he had $4\frac{1}{2}$ acres. He now finds that he owns 10.4 acres. He maintained that the property he purchased did not include the quarry and therefore the Lamys had tricked him into ownership of this property. There was no way that he could fence off or maintain the quarry to lessen its hazards. He requested help of the Board of Selectmen in solving this matter. Ch. McAuliffe asked him directly whether he knew that he owned the quarry when he bought the house. He replied: no, he did not. That he stepped off what he thought would be $4\frac{1}{2}$ acres, not 10.4 acres and that he was nowhere near the quarry. He said that the proper deeds and title search went back to the 1850's, quite an expense to himself. He showed the bills to the Selectmen and was asked exactly what he wanted. The Selectmen indicated that they could not pay for his title search or survey work, that they had no interest in this quarry other than trying to alleviate the nuisance which exists in the neighborhood except for compliance with all statutes and by-laws in regard to this matter. Mr. Barnes raised the issue of the possibility of filling it. Sel. Bartolini said that perhaps it would have been possible a couple of years ago, but it is now a wetland and requires a Hatch Act hearing which would be extremely difficult and expensive. The meeting closed without resolution.

8:30 p.m. Selectmen discussed the new fire station and a letter from Fire Chief Brock requesting that the bids be awarded to Raymond Concrete, Inc. of Paxton, MA. The Selectmen instructed Admin. Ass't Lundblad to inform the Chief that a Site Plan Hearing would be held next Tuesday night, April 5, at 7:45 p.m. at which time the Selectmen would execute the contract and award the bid if no problems arose.

8:35 p.m. to

8:45 p.m. Selectmen recessed the meeting until next appointment.

8:45 p.m. Board of Selectmen met with representatives from Birmingham to Bus Service, 168 Congress St., Milford, Mr. Leo P. Birmingham.

8:50 p.m. Ch. McAuliffe read aloud the letter of request and the response from the Board of Selectmen. Mr. Birmingham informed the Selectmen that he was going to run a closed-door operation, bring people to and from Waters Associated, Inc., Maple Street, Milford MA, a new company in the Milford area, that the people are being kept in area motels and trained at the Waters facility in Milford. He will be bringing one contract load per day from each motel back and forth to the Waters plant. Sel. Bartolini asked for a copy of the contract and then reviewed it. Mr. Birmingham assured the Selectmen that no pickups

would be made or discharges made in the Town of Southborough. Sel. Zolli then moved that the local license under Chapter 159A, Section 1 of the General Laws be granted to Leo P. Birmingham d/b/a Birmingham Bus Service, 168 Congress St., Milford, MA for the transportation of persons directly or indirectly associated with Waters Associated, Inc., Maple Street, Milford, MA, route being Mass. Route 9 between Westborough Town Line and the Framingham Town Line. Motion was seconded by Ch. McAuliffe and it was a unanimous voice vote.

Selectmen reviewed a request dated March 18 from Marion C. Davis, 21 Woodland Road, for a variance for People Care, Inc. to locate an outpatient mental health clinic in a building on Woodland Road. Sel. Zolli moved that the request be denied and that People Care, Inc. be notified immediately of their need to get a zoning variance for this property as it is in a residential district. Motion was seconded by Sel. Bartolini and was a unanimous voice vote.

9:00 p.m. Selectmen met with Police Officers Durran, Waller, O'Connell and Sgt. Harpster of the Southborough Police Association to execute the Police Contract. The contract was executed by all four members of the Association and by two members of the Board of Selectmen - Chairman McAuliffe did not sign the contract. One typographical error was initialed by all persons and the letters of agreement were signed by the officers and given to the Administrative Assistant for the Police Chief's signature.

TOWN BOARDS

Special Committee for Building Safety. Sel. Zolli made a motion, seconded by Sel. Bartolini and unanimously VOTED by voice vote, to create a Special Committee consisting of Robert Hoss, 184 Middle Road, a disinterested citizen; John Boland, Highway Supt.; and Edward F. Brock, Fire Chief; to inspect the dilapidated buildings at (1) 247 Parkerville Road, (2) the former Penn Central Transportation Co. railroad station off Southville Road, and (3) the former coal sheds located off Park Street formerly owned by the New York, New Haven and Hartford R.R. and their successor Penn Central Transp. Co. The Selectmen request written reports re the condition of these structures so that their owners may be instructed to repair, make secure or remove said structures for the public safety of the citizens of Southborough. Memos to Building Insp. Phaneuf and to Police Chief Mattioli asking for their immediate action to insure compliance for the safety of the residents of the area of the home which was severely damaged by fire at 247 Parkerville Road and which has not been boarded up or secured by the Cummings family. Letter to Penn Central informing them as to the status of the Southville railroad station requesting the company make this structure secure or safe or to otherwise remove the structure.

Selectmen notified the Planning Board about the problems with Scenic Roads.

THUG. Selectmen signed a Certificate to go to the Emergency Finance Board to obtain its approval of the Town Hall renovation bond. This was also signed by Moderator Charles Swartwood, Town Clerk Berry, Advisory Committee Chairman Richard Bowen, and Town Accountant Hinckley.

COMPLAINTS

Letter to John L. Connor, 11 Cross Street, replying to his letter asking about the Commonwealth Gas tower issue, the Data General sewerage issue, Western Electric issue, placement of the new fire station, and the abortion clinic issue.

STATE AGENCIES

DPW. Letter to Charles P. Hicks, Crandall-Hicks Co. regarding a tentative proposal to improve the crossover at Crystal Pond Rd. and Rt. 9 and to arrange a meeting to discuss with Mr. Hicks and his engineering personnel to look into the feasibility of this recent proposal.

DPW. Letter to Representative Richard Rogers asking him to keep the Board informed of any progress in regard to Data General's request for a traffic signal on Rt. 9. The Selectmen wish to testify or at least go on record as being in support of this venture when public hearings are held. CC: Bradley Stroup of Data General. Letter to Bradley Stroup informing him that the Board contacted Charles Hicks, Pres. of Crandall-Hicks Co. re the Crystal Pond Rd. crossover. Mr. Hicks has indicated support for this proposal and Mr. Stroup can contact Mr. Hicks directly if it is felt that his services will be needed in this effort. Letter to Brad Stroup of Data General enclosing a copy of a study carried out by Worc. Polytechnic Inst. students re the revised design of the intersection at Crystal Pond Rd. and Rt. 9.

FEDERAL FUNDING

Letter to Louise Buchanan of Congressman Early's Washington office enclosing a copy of a letter which Admin. Ass't Lundblad hand-carried to the HUD Area Office correcting three omissions in Southborough's original application. Also enclosed - copies of Mr. Robert Paquin's latest correspondence to the Selectmen of March 9, as well as Selectmen's letter to Mr. Thompson, Acting Regional Administrator. (re Parkerville Rd. project).

COMPLAINTS (cont.)

Letter to Peter Phaneuf, 206 Southville Rd., advising him that the Selectmen are again discussing the matter of the truck traffic on Southville Rd. with M & G Convoy, Inc. to see if they are going to build their facility in Westborough as they have promised for the last few years. Commissioner of Public Works, John Carroll, is being contacted to see if there is any changes in regulations or further techniques that could be invoked to limit truck traffic on Southville Rd.

SITE PLANS

Letter to George Flynn concerning the Site Plan By-Law and certain repairs to be made on property owned by him on Turnpike Rd., Fayville. He is to be advised that the plot plan submitted by him does not meet the specifications detailed to him in Selectmen's previous letter.

LICENSES

Board noted 3/28/77 memo to the Board re Limelight Corp. decision and appeal, noting that the decision of the Board, duly executed by the Board on Friday, March 25, 1977, and carried by Officer Richard Waller to the Limelight on Southville Rd. He was unable to serve this decision to Mr. Queen as he was hospitalized. Mrs. Queen signed for the decision at the Southborough Police Station on March 26. A copy was hand-delivered to Limelight attorney Pacifico DeCapua who signed for the decision. Copies were also mailed to Mr. Queen at his residence and a copy sent to the Alcoholic Beverages Control Commission. On March 28 a copy of an Appeal to the ABCC/^{which} was filed by Atty DeCapua was received.

Board signed TW 88 in the amount of \$95,195.07 and TW 89 for \$2,595.70 also TW 90 for \$322.93.

9:35 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

April 5, 1977

7:30 p.m. Present: Ch. T. W. McAuliffe, Sel. W. L. Zolli, Sel. L. J. Bartolini, Admin. Ass't J.A. Lundblad, members of the press.

7:45 p.m. Site Plan Hearing was held. Present: Fire Station Bldg. Committee - Fire Chief E. F. Brock, Earl Smiddy and Herb Cobb; Planning Bd. members: L. Kimball and P. Brefka; Town Counsel Busconi, two residents. Chief Brock gave a presentation. Six basic questions were brought up by the Planning Bd: (1) Plan does not show all structures within 200 feet of the property line. It should show structures across the street, (2) It was requested that the horseshoe driveway be made one way and that signs be erected to prevent people from driving the wrong way down the driveway, (3) Chief Brock was questioned on the turning radius at the exit, whether or not the large vehicles would be able to get out of the driveway. Brock informed that parking would be limited both across the street and at the mouth of the driveway, (4) Will the driveway be repaired? Brock said, no - not within the scope of this project, (5) exterior lights in front of the building are not shown. Brock said that they would be just like the ones they had now. Kimball said yes, but they are not shown on the plan. Brock repeated his statement that they would be just like the ones they had now, (6) would there be any traffic signal on Main St. Brock said that none were proposed. Another question asked was whether or not there would be any sign on the street saying the Fire Station was up the street. Brock said there would not be. A resident asked what if traffic is backed up to the driveway. Brock said that he hoped that wouldn't happen often. If it did, he hoped that people would back their car up and let them through. If not, Chief Brock said they would wait; the same thing the Police do. Brock said there would be fewer safety problems at this location than at the existing one. Selectmen informed Chief Brock that the Site Plan would be approved and that amendments should be forthcoming to reflect those seven points mentioned tonight, specifically the lighting and the residences within 200 feet of the property line. Kimball noted that the ZBA gave them a 35-car parking space variance in that all of these were either behind or on the side of the building and the architect should be applauded for this to minimize the visual impact of parked cars along the street. Sel. Bartolini made a motion, seconded by Sel. Zolli, and unanimously VOTED: to accept the Site Plan as presented by the Building Committee for the fire station located off Main St., number 19, subject to the fact of a later date of a week or two, that the Building Committee will submit to the Selectmen an overlay with the abutting property across the street. Ch. McAuliffe stated he wanted the records to indicate that the building is within 250 feet of the property line; 200 feet is required by the Zoning By-Law.

8:15 p.m. Grader Bid Opening was held. Ch. McAuliffe read the ad as it appeared in the South Middlesex News of March 29, 1977. Two bids were received: (1) from Arthur F. Gendron, 353 Front St. Winchendon, MA for a 1973 used grader Caterpillar Model 120 in the amount of \$36,500.00, and (2) from E. J. Bleiler Equip. Co. Inc., Crawford St., Needham Heights, MA for a new Galion Model T-400 in the amount of \$43,717.01. Sel. Zolli made a motion, seconded by Sel. Bartolini, and unanimously VOTED: that the bids be taken under advisement until after the Annual Town Meeting.

8:19 p.m. Messrs. Kimball and Brefka met with the Selectmen to discuss
to Scenic Roads. L. Kimball felt that the entire right-of-way
8:29 p.m. was supposed to be protected in the Scenic Roads but only
for Town activities, not activities such as utilities and private home
owners. This issue was not resolved and is going to be returned for
further study.

8:30 p.m. Pole hearing was held on petition by New England Telephone
and Mass. Elec. to place 15 poles on Valley Road beginning
at a point which is approximately 900 feet westerly of
Boston Road and continuing westerly. One jointly-owned pole to be
abandoned. Mr. Kimball stayed for this meeting. Mr. Brefka did not
stay. Also present was Tree Warden Howard Truesdale, Lois Simmons,
Highway Supt. Boland, Peter Kallander and two abutters. Ch. McAuliffe
read the hearing notice and read all the letters in the file, both the
Selectmen's letter which went out and one letter from Peter Rogers who
was not going to be present this evening. Howard Truesdale said that
extensive tree work would be required, especially from Pole 13 onward
and that if they did use good judgment, that they might not have to
remove any trees but just do some heavy trimming. Highway Supt. Boland
felt that a second look at the site should be taken. He cannot under-
stand why they change from one side of the street to the other. NET
Right-of-Way Agent Wesley Wallace arrived at 8:40 p.m. He said that
the impact of the work would require tree cutting. Sel. Bartolini
stated that this was for new homes, that there were three major problems:
(1) the poles going in, (2) the openings in the stone walls would
violate the Scenic Road Act, and (3) the opening of the stone wall
and removing those trees potentially creates some problems in the
draining from the easterly side of the road where there is a steep
drop-off. Currently the water coming off from the westerly side is
caught in the road, but after these changes are made it will no longer
be caught in the road and driveways will serve as gutters and down-
spouts. Mr. Kallander opposed the pole especially at the far end
where he hopes to have an air strip. He would like to see the entire
project done underground and he offered an underground easement through
his property. Selectmen requested NET and Mass. Electric to submit
underground costs and the possible cost to passing this along to the
residents. Mr. Wallace said he would do it. He also said the electric
company would do it without cost. Mr. Wallace and Sel. Bartolini had
a heated conversation, Sel. Bartolini asserting that the power company
would have to charge the municipality or residents of the town and
could not do it without charge. This was not Mr. Wallace's under-
standing. David Wyner, one of the property owners, was present. He
owns all the property on the right-hand side going up the hill. He
expressed his concern about extensive tree cutting and possible erosion
problems. Sel. Zolli made a motion, seconded by Sel. Bartolini, and it
was unanimously VOTED: to continue this pole hearing to April 19, 1977
at 9 p.m. A meeting is to be set up with representatives of both
utilities so that the possibility of burying the utility could be
examined.

9:00 p.m. Selectmen met with the Board of Assessors: Arthur Holmes,
Charles Johnson, Arthur Sisson and their Administrative
Secretary Betty Davis; Town Counsel Busconi, Highway Supt.
Boland, Lawrence Kimball, Treasurer Stanley Tanenholtz, Town Accountant

Elaine Hinckley; Advisory Committee: Richard Bowen, Sherman Ball, Ed Chaput, Nelson Goldin, George McClelland, Jeanne Duggan, William Pires; Capital Budget Plan. Committee: Richard Knorr, Paul Brefka, Ralph Ellis, Margit Donath. A number of Warrant Articles were reviewed for which funds were not yet available including 16, 18, 19, 21, 22, 25. Basically, the thrust of this session was to review all of the expenditures proposed through the budgets, the Warrant Articles, the pay increases for the Annual and Special Town Meeting. After those figures were amassed, the Advisory Committee offered its recommendations. Two sets of expenditures existed. First, the total expenditure. Second, the expenditures if the recommendations of the Advisory Committee were upheld. Next, the combined Boards examined the available funds from all possible sources. When these figures were compared, examining all sources, it appears that the maximum tax increase - if the Advisory Committee's recommendations are upheld - would be around \$2.40. The maximum tax increase if everything went through is about \$6.00.

Extensive discussion revolved around first, Revenue Sharing - both the Town's decision to reserve it for future Town Hall renovation work, as well as the availability of any additional funds and how much of that, if any, could be used to defray costs of the bonding, interest and principal, as requested by the Town Meeting. It was concluded by the Admin. Ass't and the Town Accountant that all of that cost could be deferred by this year's Revenue Sharing. Second - Overlay Reserve. It was felt that \$50,000 from the Reserve Fund could come from the \$56,000 and the 1975/74 Overlay Reserve. It was the consensus that we would accept any donations we could but not figure this into the calculations for the projected tax rate. Third, Cherry Sheet. Mr. Bowen explained that Algonquin received additional funds and therefore would be able to reduce by \$60,766.21 its assessment for the Town (\$1 on the tax rate). With increased valuation of \$1,739,000 - or \$2.70 on the old tax rate. It was determined that additional funds were available for this year. Mr. Kimball wanted to know if the \$64 million was raised to date, and if so, by which date? He was informed it was Jan. 1, 1977 that this holds for fiscal 1978. Sel. Bartolini wanted to know if abatements were up or down. Assessor Holmes indicated that they are all covered in Overlay, estimating \$150,000 Overlay for this year for court cases and exemptions. Fourth - Free Cash. Sel. Zolli indicated that he wanted to try to eliminate all the misunderstanding that has persisted year after year.

Taxes	\$3,728,240	Total cost out go:
Cherry Sheee	593,150	
Over estimation	11,062	<u>Expenditures:</u>
Est. receipts	663,900	Budgets \$5,358,614
Stabilization	28,204	Co. Assess. 239,839
Reserve Fund	50,000	State Assess. 40,818
		Underestim. 2,343
Total income	\$5,033,301	Overlay 150,000
		Spec. Town Mtg. 82,886
		Total \$5,873,661
		(increase in funds -60,766
		received from State
		for Algonquin)

Fifth, it was recommended that \$381,173 be transferred from Free Cash to virtually reduce the tax increase to under \$3.00. This, of course is if all the Articles pass. Mr. Chaput felt that more money should be maintained in Free Cash and not take all \$381,173 but maybe take something like \$181,173 and leave \$200,000. The Assessors explained that because of changes in collection practices and changes in the law, that we not only can take that \$381,000 which is certified as of January 1 by the Accountant, but we also could take money up to March 1 so that we are not leaving the cupboard bare. There will be at least \$105,000 in available free cash certified at the close of this year for any Special Town Meetings forthcoming. Mr. Bowen requested that we ask Mr. Tanenholtz how the cash flow is going. Mr. Tanenholtz discussed this issue for 30 minutes.

APPOINTMENTS/RESIGNATIONS

Selectman Bartolini made a Motion, seconded by Sel. Zolli and unanimously voted to appoint Carole Bates, 133 Southville Road, Southborough, as the representative of the Board of Selectmen to the Board of Directors of the South Middlesex Opportunity Council for a term of one year.

TOWN BOARDS

Fire Station Building Committee. Selectman Bartolini made a motion, seconded by Sel. Zolli and unanimously VOTED: that the bid be awarded for the new Fire Station to Raymond Concrete Construction, Inc., 120 Holden Road, Paxton, MA for \$189,774.

Selectmen signed TW #93 for \$81,586.58; TW #94 for \$3,592.34; and Revenue Sharing TW #11 for \$381.54.

Board noted letter dated April 2 from James Higgiston, Ch., Board of Library Trustees, stating that he has not had a reply from his Dec. 30, 1976 letter to Town Counsel Busconi inquiring as to the progress of the Library's land grant from St. Mark's School.

Board noted April 3 letter from Conservation Commission to Cemetery Commissioners stating that the Commission is pleased with the Cemetery Commissioners' present efforts to conform to the Wetland Protection Act requirements and that the engineering plans submitted on March 31 were suitable for filing under the Wetland Protection Act.

FEDERAL FUNDING

Letter to Dr. Chang of Whitman & Howard enclosing three forms that have to be completed and submitted to HUD to close out the water pumping station project. Whitman & Howard are to return the completed forms to HUD.

Board noted March 30 letter from Robert Paquin, Acting Director, Community Planning and Development Div. of HUD, re Selectmen's March 22 letter requesting a review of the rating assigned to Southborough's non-metro pre-application. Selectmen objected to HUD not assigning points for an imminent threat to public health and safety for the Parkerville Road landfill area. Mr. Paquin enclosed a copy of the Oct. 18, 1976 Federal Register which defines under Section 570.402(V), a threat to Public Health and Safety. It was Mr. Paquin's opinion that the nature of the leachate threat is not one that would qualify for additional points under their scoring system.

TOWN DEPARTMENTS

Highway. Memos to Highway Supt. Boland and Town Counsel Busconi re Mitchell St. property owned by Melgrove Realty Trust questioning progress in regard to the problem of drainage pipes which were put through their land. Melgrove Realty Trust's attorney, Mr. Scipione, states that his client did not have any knowledge of any pipes or any takings by the Town for these drainage pipes.

Police. Board noted Report from Admin. Ass't Lundblad re By-Law on Public Drinking. Article 58 ATM May 1975 did not state a penalty for the infraction of this By-Law. The penalty for the violation of any Town By-Law is \$50. Judge Moossa would like an official document from the Town indicating what the penalty should be for the violation of this By-Law.

Highway. Letter to Headmaster Robert Hansel, St. Mark's School, replying to his correspondence of March 30 concerning a potential traffic hazard along Rt. 85 in the vicinity of the school. The Selectmen have requested immediate action by the Highway Supt. and the Police Chief to insure that all measures possible are employed to make this a safe area for pedestrians. Memos to Highway Supt. Boland and Police Chief Mattioli, attaching a copy of Mr. Hansel's letter, requesting them to contact Mr. Hansel and report back to the Board. Board suggested crosswalks being painted on the road or signs in the area to slow down traffic.

Police. Memo to Police Chief Mattioli regarding a request by Katherine Allen concerning the possibility of erecting a 10' x 10' metal storage building in back of the Police Station to house certain valuable historical artifacts. The Selectmen request that the Chief discuss this possibility with Mrs. Allen when convenient.

Legal. Board noted 3/18/77 letter from Town Counsel Busconi to Hubert Gower denying his request that the Town withhold monies from his paycheck and forward same to an insurance company for the purpose of paying for a tax sheltered annuity which he intends to purchase.

ZONING

Selectmen granted Zoning By-Law Permit to Casey-Collins Realty Trust to build a single family residence on Lot No. 72A - 7 Overlook Drive; and a Zoning By-Law Permit to Earl D. Tucker to build a single family residence on Lot 54A--7 Parkerville Rd.

Letter to Evelyn Littlefield, 1 White Bagley Rd., replying to her letter of March 31 concerning a zoning issue re property owned by her on White Bagley Rd. If the parcel on White Bagley Road is a registered parcel in conformance with the zoning for the district in which it is located prior to the inception of zoning in the Town, then it is protected as a pre-existing, nonconforming lot.

COMPLAINTS

Letter to William Wiggin, Newton-Waltham Bank & Trust Co., owners of the old mill property, 15 River St. (formerly owned by Snow-fighters) The Board would request that a representative of the bank contact Police Chief Mattioli or his officer in charge regarding the large holes on this property where former catch basins and drains used to exist.

Letter is to go to M & G Convoy, Inc. of Buffalo, New York, re the heavy truck traffic on Southville Road, a part of which is caused by M & G Convoy. The Selectmen would like an update of their plans to garage their vehicles in Westborough instead of Ashland as they are now.

INTERNSHIPS

Letter to Prof. Richard LaMothe of Worc. Polytechnic Inst. stating that the Board is still interested in the WPI project and the valuable service which WPI offers municipalities.

PROCLAMATIONS

Selectmen issued a Proclamation reactivating the Southborough Companies of Militia and Minute Men and issued a call to arms for April 11, 1977 to all Brave, Healthy, Able-Bodied and Well-Disposed Men to join the ranks now being recalled under the command of Colonel Walter F. White in order to provide for the common defense of this Township and Colony.

COLLECTIVE BARGAINING

Board noted Pre-investigation Conference set for April 13, 1977 re the signed petition from 16 employees of the town asking that the litigation between the Town and Local 495 of the Service Employees International Union be abandoned.

Selectmen signed Treasury Warrant #91 for \$56,478.51 and TW #92 for \$15,392.65.

11:03 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Ass't

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

April 19, 1977

7:30 p.m. Present: Chairman T. W. McAuliffe, Sel. Louis J. Bartolini, Sel. William L. Zolli, Admin. Ass't John A. Lundblad, members of the press, one citizen and an observer from the League of Women Voters.

8:15 p.m. Selectmen met with Robert Winterhalter of Big W Trans requesting a restricted Common Carrier's License under Chapter 159A, Section 1 of the General Laws for the Milford/Framingham Bus Lines, to provide service for the CETA Regional Training Program. Ch. McAuliffe read a list of proposed routes. Sel. Zolli asked whether or not a similar License was issued a few weeks ago. He was informed that, in fact, a similar License was issued by this Board a couple of weeks ago just prior to the Town Meeting to Leo Birmingham. Mr. Winterhalter indicated that he would not be running full size buses over this route, but the 16 to 25 passenger vehicles. Sel. Zolli wanted to know why Boston Road? Mr. Winterhalter informed him that it was at the request of CETA that Boston Rd. be included so that he could go into the center of town. If, in the future, Southborough residents were being trained under the CETA program, then they could be picked up in the center of Town. Sel. Bartolini asked how many Licenses Mr. Winterhalter had in Southborough. Mr. Winterhalter informed the Board he had two under his proprietorship (Robert Winterhalter d/b/a Big W Trans) - one is active and one is inactive. The active one was not described. The inactive one was requested for the New England Telephone training program in 1973, but never turned into the DPU. (Therefore, it ceased to exist after 3 years.) Mr. Bartolini informed Mr. Winterhalter that he felt the Board should be careful in issuing any Licenses as the people of Southborough should not be subjected to unnecessary bus routes throughout the Town. He feels that the Board should be cautious and not endow any one transportation company with a large number of routes which may not be needed. Mr. Winterhalter informed the Board that this License or the other ones issued by the Board are only good for three years, if not made permanent by the DPU. The DPU has granted him a 120 day temporary License for the CETA program contract. Sel. Bartolini wanted to know what his passengership was for this project, - 20 people per day, five days per week. Sel. Bartolini wanted to know what were the hours of transportation. Mr. Winterhalter replied that it was basically daytime travel between Framingham and Marlboro and afternoon travel from the surrounding towns to Marlboro for class at Assabet from 3:30 p.m. to 9:00 p.m. Mr. Winterhalter furnished a copy of the CETA contract. Ch. McAuliffe read aloud all previous licenses and requests for licenses from Big W Trans, Robert Winterhalter, or the Milford/Framingham Bus Line. Sel. Bartolini asked if it would be acceptable to Mr. Winterhalter to rescind the past licenses that were not made permanent. Mr. Winterhalter indicated it would. Sel. Zolli made a Motion, seconded by Sel. Bartolini, and unanimously VOTED: that the License be hereby granted by the Town of Southborough under Section 1, Chapter 159A of the General Laws, to Big W Transportation, Inc. of Ashland, to operate as a Common Carrier for the transportation of passengers for hire by motor vehicle along the following ways in the Town of Southborough:

List of Streets

- A. On Marlborough Road between Marlborough City line and Main Street
- B. On Main Street between Marlborough Road and Boston Road
- C. On Boston Road between Main Street and Firmin Avenue
- D. On Firmin Avenue between Boston Road and Framingham Town line
- E. On Framingham Road between Boston Road and Marlborough Rd.

Sel. Bartolini proposed an amendment to review this License after 18 months before it became permanent. Sel. Zolli amended it further to have Town Counsel check into the validity of said restriction prior to delaying the application. It was unanimously VOTED by the Board of Selectmen to approve the Motion with the above amendments.

8:30 p.m. Board met with Representative Richard Rogers. First, Westborough State Hospital. The Board and Rep. Rogers discussed the letter to Governor Dukakis, discussing the economics and politics of the renovation of Grafton State Hospital and Westborough State Hospital into correctional institutions. Rep. Rogers indicated that the cost of renovation of the Grafton facility would be far in excess of the construction of a new facility. Although the Grafton facility was constructed as a mental institution, it does have small rooms; it does have security; it does not meet Federal or State codes for correctional institutions with solid doors, bars, security areas, etc. With this in mind, the Foxboro and Shadowbrook facilities are even more expensive for renovation up to code. This, therefore, leaves the legislature with two options, one to look into the possibility of building satellite institutions on the grounds of existing correction facilities such as Concord or Bridgewater or to look at other facilities such as Westboro State. Sel. Zolli at this time indicated that one of the reasons we should strongly oppose Westborough State proposal is that it serves as the area mental health programs support facility. If the Commonwealth continues to further its policy of de-institutionalization, then it must at the same time offer some core support facilities in each Region, Westboro being the one for this region. Second, the Binding Arbitration Law. Representative Rogers gave a brief description of the status of this legislation at the current time.

9:05 p.m. Selectmen reconvened pole hearing for the erection of 15 poles on Valley Road. Present: Robert McCabe of Mass. Electric; Wesley Wallace of New England Telephone; Howard Truesdale, Tree Warden; four citizens and residents of the area. Mr. McCabe gave a brief presentation on the proposal to bury service on Valley Road which was in contradiction to Mr. Wallace's presentation of two weeks earlier. Mr. McCabe informed the Board that the DPU rate structure limits Mass. Electric from paying for underground utilities. Unless Mass. Electric can recoup its cost, either through a private developer, the municipalities involved or all of the persons using that utility within that municipality, it cannot go underground and bill the cost of this operation to the overall rate structure. Further, Mr. McCabe informed the Selectmen that until the

Town accepts this By-law, Mass. Electric simply cannot bury cable as a matter of policy. He indicated that Mass. Electric will try to use the most modern technology to minimize tree cutting. They will do what they have done on Lovers Lane and Parkerville Road - to minimize cutting. According to Mass. Electric's Engineering Department, the cost factor for burying cable is still twice as expensive as keeping cable overhead at the minimum and in worse situations, it may be as high as four times as expensive. An extension on a road as narrow as this, 1,700 feet long, unquestionably will be an expensive proposition.

Mr. Wallace indicated that New England Telephone is still willing to go underground with its service for this entire stretch of Valley Road. However, he feels that if Mass. Electric is not going to go underground, then NET would prefer not to go underground. Mr. Kallander mentioned he had concerns with overhead wires because of a planned airstrip, now Stony Brook Golf Course. In the future he hopes to put another runway on property owned by the Kallander family at the top of Valley Road. He feels that the wires might be a problem and he is willing to pay the difference to go underground. However, his problem is only at the end of the proposed line and he would not really be willing to pay the entire underground length of 1,700 feet. Howard Truesdale spoke concerning problems of raising, moving, changing or relocating poles 5 through 8. He related these are now short poles and there is serious problems of heavy growth and if the poles are raised and the lines are raised, a very difficult problem will exist in cutting. A number of possibilities were discussed between Mr. McCabe and David Wyner (a property owner in the area), Selectman Bartolini, Mr. Wallace and Mr. Truesdale with no real consensus being formed. It was the feeling of the Board of Selectmen that they should go to Valley Road, inspect the proposed pole locations and make decisions based upon actual locations instead of proposed locations on paper. Selectman Zolli made a Motion, seconded by Sel. Bartolini, and unanimously VOTED: to reconvene the hearing on Tuesday, May 3, 1977 at 8:15 p.m. This was later rescheduled to 8:30 p.m. because of a bid opening at 8:15 p.m. Selectmen also VOTED to meet with Town officials, utility officials and residents on Valley Rd. at 10 a.m. April 30. (That meeting was reconvened for May 3.)

Board of Selectmen VOTED to send a petition to Governor Michael Dukakis regarding budgets and timing of financial reports as per Northborough Selectmen's request.

In regard to the request for the use of the sweeper by Algonquin Regional High School, the Selectmen AUTHORIZED use of the Highway sweeper by Algonquin Regional High School as long as Highway Supt. Boland felt it would not be an undue strain on his work program or create a financial overrun.

10:30 p.m. Police Sergeant Philip Connors reported to the Board on the crime-prevention meeting held in the south end of Town. He reported that 58 residents met to discuss problems and there was a consensus to set up a task force to bring together all the parties involved and try to work with parents and their children.

Selectmen signed Treasury Warrant #95 for \$65,551.80; TW #96 in the amount of \$14,481.43; and Revenue Sharing TW #12 in the amount of \$1,889.35.

TOWN BOARDS

THUG. Letter to Executone Communication Systems re communication systems for the renovated Town Hall. This firm will be given due consideration when the specifications for the communication system are being drawn up.

THUG. Memo to Highway Supt. John Boland, William Binder - Water Supt., Bldg. Inspector Edgar Phaneuf and William Hynes - Research Assistant re the Selectmen's approval of the basic parameters for the specifications for the exterior renovation of the Town Hall, and requesting that the sealing or caulking be kept with the five-year guarantee as an alternate. This should be put to bid as soon as possible. The specs should be reviewed by the Town Counsel as well as Mr. Brefka, Chairman of the Town Hall Users Group, and the Board of Selectmen.

Fire Station Bldg. Committee. Board noted April 19 letter from E.F.Brock, Chairman of the Fire Station Bldg. Com. re a modified Site Plan of the new fire station. Town Counsel Busconi and Highway Supt. Boland plan to draw on the print all structures within 200 feet of the boundary lines as required under the Town By-Laws.

Board noted Notice of Hearing to be held by the Planning Board at 8 p.m., April 21 at the Police Station to consider the cutting or removal of trees, etc. along Valley Road and Break Neck Hill Rd., designated as Scenic Roads.

TOWN DEPARTMENTS

Street Lights. Letter to Mass. Electric Co. keeping open all options for renegotiation as stated in their letter dated 12/7/76.

Memo to Police Chief F. J. Mattioli re possible penalties for the Public Drinking Law (see Article XIII Penalty Section 1 of the Town By-Laws.) The Selectmen suggest forwarding this information to the First District Court of Eastern Worcester in Westborough together with a copy of the By-Laws Article XIII.

Highway. Letter to R. F. Tibert, Bus. Manager, Algonquin Reg. High School, re Selectmen's authorization for the Highway Dept. to sweep Algonquin's parking lot. If funds were appropriated for this project by the School Committee, the Town of Southborough would appreciate reimbursement.

Treasurer. Letter to Treasurer Tanenholtz re Board's VOTE to allow Town employees currently under Blue Cross/Blue Shield Master Medical Family Plan to substitute dual individual memberships if this is agreeable with Blue Cross/Blue Shield of Mass.

Treasurer/Collector. Board noted April 4 letter from W. J. Higgins, Branch Officer (Northboro), Mechanics National Bank re new Treasurer/Collector and the computerizing of the Town payroll.

Board noted April 11 letter from Town Accountant Hinckley re receipt of payment of \$22,728.00 in Revenue Sharing Funds which was deposited directly into the Town's account on April 4, 1977.

Treasurer/Collector. Board noted April 5 letter from Worcester Co. National Bank, David Maynard, V. P., re Selectmen's March 30 letter. Mr. Maynard stated that there will be no significant problems resulting from the inaccurate information supplied to them for the Town's \$580,000 various purpose bond issue which sold on 11/11/76. The bank will supply the Treasurer, Accountant and the Board with drafts of the prospectus for review prior to printing.

LICENSES

Letter to ELAINE CHRISTENSEN informing her that the Board VOTED to grant her permission to hold a small horse show at Lynbrook Farm, Lynbrook Road, on May 1, 1977. CC: Police Dept. and Fire Dept.

Board noted Notice from the State Alcoholic Beverages Control Commission informing the Board that the Board has one more License available - Package Goods Store License for the Sale of Wines and Malt Beverages.

Board noted Agreement for Neither Party dated April 7, 1977, Superior Court, Civil Action #10359 The Limelight Corp. et al v. Edward F. Harrington, et al (Alcoholic Beverages Control Commission).

ZONING

Board granted Zoning By-Law Permits to the following: (1) John Bartolini to build a single family dwelling on Lot 7, Number 4 Foley Drive, (2) John Bartolini to build a single family dwelling on Lot 8, Number 6 Foley Drive, and (3) John Bartolini to build a single family dwelling on Lot 9, Number 8 Foley Drive.

APPOINTMENTS/RESIGNATIONS

Board noted March 30 letter from Moderator C. B. Swartwood to Town Clerk Berry appointing Philip A. Jenks, 5 Latisquama Rd., to the Advisory Committee to fill the vacancy caused by the resignation of Mary Jane Martinson.

10:35 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

April 26, 1977

- 7:30 p.m. Present: Chairman T. W. McAuliffe, Sel. L. J. Bartolini, Admin. Assistant John Lundblad, one citizen, members of the press, and a League of Women Voters Observer.
- 8:15 p.m. Site Plan hearing was held on application of John Castagnetti to re 64 Central Street for a hairdressing establishment.
- 8:25 p.m. Issues discussed were parking, drainage, and lighting of the sign. Sel. Bartolini suggested that there are numerous solutions for the drainage problem including, but not limited to, Mr. Castagnetti's proposal of dry-wells, also using gravel and stone dust which does represent a maintenance problem, but does reduce the run-off. Sel. made a Motion, seconded by Chr, McAuliffe, and unanimously VOTED: that the Site Plan of Land in the Town of Southborough shown, a drawing by George L. Esper, Associates, 19 Oregon Rd., Ashland, MA for the owner and petitioner John Castagnetti of 64 Central Street be APPROVED by the Board of Selectmen as presented with a notation that at a later date it is indicated where the lighting is going to go as well as the sign, and that he assure Selectmen that the water or any run-off will not go onto any abutting property. Sel. Bartolini stated that the Planning Board was notified of the Site Plan Hearing and that no one showed up. Conservation Commission was also notified and no one came. Therefore, it was assumed there were no objections. The Site Plan, of course, depends upon Board of Health approval.

The Selectmen VOTED approval of Certificate of Incorporation for Cultural Horizons, Inc., 92 Framingham Road.

- 9:00 p.m. Selectmen met with Wesley Williams of C. E. Williams to Insurance Agency, Mr. Gerry Lamy of Lamy Ins. Agency
- 10:00 p.m. and Dick Grant, Special Agent for American Ins. Co. to discuss the D. A. Betterley Risk Consultants' report. American Insurance indicated they are willing to insure everything in the report with few exclusions, those few being the following: (1) Mal-practice for nurses, which is now under the joint underwriting pool, (2) malpractice for ambulance attendants, which is not covered by any of their policies at this time, (3) insurance for the sweeper as a piece of equipment; it is a registered vehicle and has to be insured as such. Police and Fire Accident and Health they do not cover. Furthermore, they could not cover extensions for personal injury liability, water craft exclusion and public officials liability policy. These cannot be put in the package policy without problems with the insurance company. All other coverages are acceptable. A number of policies have already been incorporated into the policies as recommended by Betterley, including but not limited to the boilerage coverage, increasing of motor vehicle coverages, increasing the endorsement on all state coverage for Workmen's Comp., increasing the deductible on buildings, valuables, and vehicles. Then Mr. Williams met with the Selectmen concerning the Fire Station construction. He just wanted to clear with the Board that the Town would be taking on a builder's risk policy since Southborough will own the building throughout the entire construction phase, but that theft coverage is

not included until the building is enclosed and lockable. Bodily injury coverage or Workmen's Comp. is not included because Fire-fighters, Police and volunteers are not covered. Some sort of a solution will have to be sought. He also discussed the request by the Historic Committee for insuring hayrides.

APPOINTMENTS/RESIGNATIONS

Letter to L. Louise Cutting Barber, 63 Flagg Rd., expressing the Board's regret upon learning of her resignation from the Advisory Committee. Letter to Richard Bowen, 5 Rock Point Rd., expressing the Board's regret upon learning of his resignation from this Committee.

ZONING

Selectmen granted three Zoning By-Law Permits to build single family homes as follows: (1) to Kathleen Brandolini - Lot 9 - 37 Valley Rd. (2) to Michael Sullivan - Lot 104 - 15 Valley Rd. (3) to Robert Johnson, Lot 11 - 21 Break Neck Hill Road.

LICENSING

Letter to Police Chief Mattioli informing him that because of The Limelight appealing the Board's decision for a seven-day suspension, the Selectmen have delayed this suspension until the appeal has been heard at the Alcoholic Beverages Control Commission. Selectmen would like a periodic assignment of his men to determine the type of entertainment which is being offered on a regular basis at The Limelight Lounge on Southville Road.

TOWN DEPARTMENTS

Legal.

Letter to Virginia Giombetti, 94 Southville Rd., asking if Town Counsel Busconi could inspect the drainage pipe in her basement this coming Monday, May 2 @ 1:30 p.m. or 1:45 p.m.

Memo to Town Accountant Elaine Hinckley informing her that Town Counsel Busconi will attend the Due Diligence Hearing for the Town Hall renovation bonds on Friday, April 29 at 3:30 p.m.

TOWN BOARDS

Letter to Fire Chief E. F. Brock, Chairman of the Fire Station Bldg. Committee, explaining that the responsibility for approving the day-to-day expenditures for the contract rests with the Committee.

Board noted that a public hearing will be held on the Notice of Intent filed by John Bartolini, 41 Deerfoot Rd., to fill within 100 feet of a wetland to build a single family residence on Lot 12A Deerfoot Rd. Hatch Act Hearing will be held April 28 at 8 p.m. by the Conservation Commission.

THUG. Board noted April 19, 1977 letter from Emergency Finance Board, Boston, enclosing the vote passed by this Board on April 14 authorizing the Town to borrow the sum of \$300,000.00 in accordance with Chapter 44, Section 7, Clause (3A) of the General Laws, as amended, by Making Extraordinary Repairs to the Town Hall.

STATE LEG.

Selectmen signed petition to Governor Michael S. Dukakis re the Governor's Budget Message and the Cherry Sheet, also asking that he ensure that a supplemental appropriation be adopted which will bring the funding of all municipalities to a level at least equal to that of last year's funding.

Letters to Senate President Kevin Harrington, Rep. Richard Rogers, Rep. Joseph Navin, Senator Gerard D'Amico, Senator Edward Burke and Senator Foley upon instructions of the Special Town Meeting of 4/11/77, conveying the unanimous vote of the citizens to convey to the Governor and elected Representatives and Senators that there be no extension of compulsory and binding arbitration beyond its termination date of June 30, 1977. Same letter to Governor Dukakis.

Board of Selectmen signed Treasury Warrant #97 in the amount of \$214,820.41; TW 98 in the amount of \$3,241.65; and Rev. Sh. TW #13 in the amount of \$7,800.00.

10:17 p.m. VOTED: to adjourn the meeting.


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John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

May 3, 1977

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. L. J. Bartolini, Sel. W. L. Zolli, Admin. Assistant John A. Lundblad, two members of the press, one citizen.

Selectmen signed Treasury Warrant #99 in the amount of \$55,242.74; and TW #100 in the amount of \$14,660.62.

8:00 p.m. Selectmen met with Highway Supt. John Boland to discuss to the problem with the drain pipe running through Mrs.

8:15 p.m. Giombetti's garage and basement. The Selectmen AUTHORIZED John Boland to look into the cost estimates for an engineering study to resolve this problem by any means possible, including, but not limited to reconstructing the storm water drain from Woodbury Rd. westerly to the brook, just easterly to the property owned by Andrew Gong d/b/a Kahili Restaurant.

8:15 p.m. The Board of Selectmen opened bids for the concrete work to be done in the basement of the Town Hall. Ch. McAuliffe

8:20 p.m. read the legal ad aloud as it appeared in the Worc. Telegram of April 26. Sel. Zolli opened the only bid from R. W.

Hickman, Northborough, MA for \$1,285.00. Highway Supt. Boland, in reviewing the bid, requested that the letter of award stipulate that the cost be as per our specs, outlined in paragraphs 1B and 1C, thereby putting the responsibility of verifying the volume of concrete on the contractor and not on the Town. Sel. Zolli made a Motion, seconded by Ch. McAuliffe, and it was unanimously, by voice vote, VOTED: that the contract for placing of the cement concrete floor at the Southborough Town Hall be awarded to R. W. Hickman Construction, 139 Rice Avenue, Northborough, MA pending acceptance of paragraph 1, Section B of the specifications for concrete floor at the Town Hall.

8:30 p.m. Selectmen reconvened a pole hearing for 15 poles on Valley to Road. Sel. Bartolini reported that he met on Saturday

8:36 p.m. with Mr. Wallace of New England Telephone, Mr. McCabe of Mass. Electric, at least two residents, Chairman of the Planning Board - Lawrence Kimball, and Tree Warden Howard Truesdale. Present at this evening's meeting: Highway Supt. John Boland; Richard Houston, a resident of Valley Rd; and Wesley Wallace, Right of Way Agent for New England Telephone. Sel. Bartolini reported that the pole locations as presented were acceptable to all persons present and the only location where heavy cutting would be necessitated would be at the Ellsworth driveway. But even there, no trees would be taken out. The poles will be placed as staked out on the ground with the cooperative venture of the Town's Tree Warden Howard Truesdale and the arborist for the respective companies. Sel. Bartolini reported that they will follow the old poles and that some small scrub trees (2 and 3 inch diameter) will have to come down. Sel. Zolli made a motion, seconded by Sel. Bartolini, and unanimously voted by voice vote: to approve the 15 pole locations on Valley Road.

8:37 p.m. Selectmen met with Treasurer Stanley Tanenholtz discussing to the financing of the Southborough Community Youth Center, 8:50 p.m. Inc. as appropriated at the 1977 Annual Town Meeting, Article 27. Mr. Tanenholtz requested a written ruling from the Town Counsel. Selectmen tried to reassure Mr. Tanenholtz this was a legitimate activity. This had been done in numerous locales across the Commonwealth. However, he insisted on a written ruling. Selectmen AGREED.

9:18 p.m. Selectmen met with the Treasurer/Collector Search Committee created to interview candidates for the Treasurer/Collector position. The Treasurer/Collector Search Committee Chairman Robert Dumont, Walter F. White and Russell Millholland were present. They gave a progress report. Mr. Dumont indicated that they received about 65 applications, interviewed about 20 individuals and have completed the first round of interviews. They are now exercising the charge given them at the Annual Town Meeting to examine the issue of full time or part time. They have discussed this with various persons, including the current Treasurer and Collector, current and former members of the Advisory Committee, the members of the Audit Committee, the representatives from Haskins and Sells, and the Board of Selectmen. That is the purpose of the meeting this evening. First, they sought the opinion of the Board of Selectmen on part-time vs. full-time and why. Second, they sought a written opinion from the Town Counsel assuring them that a Treasurer from one Town could hold the same position in this Town simultaneously.

In regard to the first issue, Sel. Zolli questioned the amendment from the Annual Town Meeting and felt the establishment of minimum hours was not the charge of the Committee. Mr. Dumont read the certified copy stating according to the Town Clerk the Committee was responsible to bring three names to the Board of Selectmen, an appropriate salary level and a minimum number of weekly hours. Mr. Dumont felt he had the additional option that in the event the appropriation allowed for in the combined budget was insufficient, the Search Committee could refer the matter to the Personnel Board for study, the Board of Selectmen and then request from the Advisory Committee a transfer from the Reserve Fund. Sel. Zolli indicated that he felt beyond the statutory powers of the Treasurer/Collector this individual would serve as a financial resource for the Administrative Assistant and the Town Accountant to assist in the implementation of the Haskins and Sells report, would assist in the automating of data management for a number of departments not merely his or her own - in short, would be the key person necessary to bring about the implementation of the Haskins and Sells report. In regard to the legal opinion, the Board of Selectmen voted unanimously to instruct the Town Counsel to assist the Search Committee as requested. Mr. Dumont indicated that by May 15, 1977 the three names and other recommendations will be presented to the Board of Selectmen.

ZONING

Selectmen VOTED to deny the request by the MacDougalds of 15 Meadow Lane for a two-car garage and recommended they appeal to the ZBA.

Board granted Zoning By-Law Permit to Edward and Kathleen Balboni to build a single family home on Lot 1 - 34 Woodbury Road.

LICENSING

Selectmen VOTED to permit a sign to be placed at Rts. 85 and 30 for a plant sale for the Garden Club as long as St. Mark's School agrees to it and they clear it with the Building Inspector.

SITE PLANS

Letter to George Flynn giving him a detailed statement re the inadequacies of the Site Plan he submitted for change of usage of property owned by him on Turnpike Rd., Fayville.

Letter to Dennis Doyle, Educational Training Systems, Inc. re his request for a Site Plan Hearing to convert a single family home to an office building in a residential district, said structure located at 10 Main St. Selectmen VOTED to deny this request and informed him that he has the right to appeal this decision to the Zoning Board of Appeals. CC: John Rego, Ch. ZBA and Town Counsel Busconi.

STATE AGENCIES

DPW. Letter to Central Transportation Planning Staff complaining that for the third consecutive year the Town of Southborough has reviewed the Traffic Improvement Program with its annual updates still finding that our TOPICS Program is not included anywhere in the proposal.

TOWN BOARDS

Memo to all members of the Planning Board re Scenic Roads and in particular Valley Rd. The Selectmen would appreciate the Planning Bd. making a decisive action re the adoption of a policy regarding the administration of the Scenic Road By-Law.

Letter to Library Trustees Ch. James Higgiston answering his April 19 letter re the last transfer from St. Mark's School to the Town. No town funds have been expended for professional services for Town Counsel for procedures necessary to facilitate this land transfer to date.

EDP Committee. Letter is to go to Robert Bigelow re the EDP Com. As soon as a Treasurer/Collector is hired and assumes his/her duties, it is hoped that the major financial officers and committees would meet to examine the feasibility of initiating the automation of certain data retrieval systems for the Town.

TOWN DEPARTMENTS

Legal. Letter to Town Counsel Busconi re the Board's unanimous VOTE to use the services of the Town Counsel to determine whether or not an individual may serve as a Treasurer and/or Collector for more than one municipality simultaneously in the State. Robert Dumont, Ch. of the Treasurer/Collector Search Committee, should be contacted as soon as possible with the answer to this question.

Letter to Robert Rosenblatt, Principal of the A. S. Woodward School, requesting his cooperation in releasing Danny Chernewski, a teacher in the Woodward School, for the purpose of attending a hearing in Boston, MA before the ABCC in the capacity of a Reserve Officer for the Police Dept. Mr. Chernewski's testimony is essential for the successful defense of the appeal by The Limelight Corp.

Legal. Letter to Town Counsel Busconi informing him that the Board has determined that the conversion of existing buildings at Data General changing the usage from office and engineering to manufacturing constitutes a change in usage requiring possible changes in loading areas as well as parking requirements. The Board feels it necessary for Data General to file a Site Plan and request a Site Plan Hearing for this change of usage. Data General can proceed with its work and file a Site Plan as soon as possible. Selectmen would like Town Counsel to convey this information to Data General's attorney Robert Capobianco.

Legal. Letter to Town Counsel Busconi stating the Board would like an update on the litigation by Local 495 and also re pending organization of the Water and Highway Depts.

STATE LEGISLATORS

Letter to Robert Lebewohl informing him that a telegram has been sent by Chairman Thomas McAuliffe expressing his feelings favoring expulsion of Senator Joseph DiCarlo.

Letters to Senator Foley, Senator Burke, Senator D'Amico, State Rep. Joseph Navin and State Rep. Rogers informing them that the Selectmen wish to go on record in support of the compromise proposed for the extension of local option and repeal of Sunday Blue Laws. The Selectmen VOTED two to one to support this measure with Selectman Bartolini opposing.

FEDERAL FUNDING

Letter to Roger Henshaw, Farmers Home Administration, enclosing pre-application (AD 621) for a Water Improvement and Water Extension Grant under catalog number 10.418 Water and Waste Disposal Systems for Rural Communities. Notice of Intent forms (A-95) have been submitted to the State and Regional clearinghouses. Engineering report, town budgets and breakdown of users are to be enclosed. Copy of this letter to go to State Clearing House, MAPC Clearing House, and Congressman Early's office.

COMPLAINTS

Memo to John Boland, Highway Supt., enclosing a copy of letter from Frank Atchue, 6 Brook Lane, concerning the condition of repair of Brook Lane. Selectmen would like Highway Supt. to investigate this matter and report the possible options available to correct this situation plus rough cost estimates.

Board noted April 29 letter from Newton-Waltham BayBank reporting that the hazardous condition which existed on its property at 15 River St., described in Selectmen's letter of 4/15/77, has been eliminated.

LICENSES

Selectmen granted a Special License to sell wine and beer at Reinke Hall, Middle Road, July 9 from 6:30 p.m. to 12:00 p.m. to The Lions Club.

Board granted a Special Licence to Pamela Meleones to sell wine and beer at St. Anne's Church Hall, Boston Road, on May 14 from 7 pm to 1 am.

APPOINTMENTS/RESIGNATIONS

Board noted resignation of John M. Weir from the Historic Celebration Committee.

10:04 p.m. VOTED: to adjourn the meeting.



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John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

May 10, 1977

7:30 p.m. Present: Acting Chairman Louis J. Bartolini, Sel. Paul R. O'Connell, Jr., Admin. Assistant John Lundblad, three citizens: Mrs. Keller, Mrs. Simmons, Miss Lanza; and members of the press: Maureen Maguire (Worcester Telegram & Gazette) and Lee O'Neil (So. Middlesex Daily News) arrived at 8 p.m. Mrs. Cynthia Graves (Marlboro Enterprise) arrived at about 8:20 p.m. Donna McDaniel and Chairman THOMAS W. McAULIFFE arrived at about 8:20 pm.

7:50 p.m. Selectmen met with Reverend Eugene Goll of St. Mark's to Episcopal Church. Reverend Goll requested interim funding 8:00 p.m. of approximately \$500 for the Southborough Community Youth Center. Sel. Bartolini and Sel. O'Connell informed Rev. Goll that the \$5,000 appropriation made by the Annual Town Meeting of this year was the Town's primary contribution to this effort and it would be impossible to draw down on those funds prior to July 1, 1977. Town Treasurer Tanenholtz joined in the discussion informing Rev. Goll that in fact he was concerned about the funding mechanism which would be used for this Warrant Article. Town Treas. Tanenholtz was informed that the Selectmen are working on this problem and will have a resolution for him in the very near future. The Selectmen agreed to instruct the Admin. Assistant to discuss with Paula Draper, Exec. Dir. of the Southborough Community Youth Center, the exact needs of that organization in this interim period and try to assist them in any way possible short of funding.

Acting Chairman Bartolini read a Proclamation for Municipal Clerks' Week.

Ch. McAuliffe requested a Motion appointing Louis J. Bartolini Chairman of the Board of Selectmen for the upcoming year. It was so moved by Sel. O'Connell, seconded by Chairman McAuliffe. It was a unanimous voice vote of the Board of Selectmen to elect Louis J. Bartolini Chairman of the Board of Selectmen.

8:45 p.m. Chairman Bartolini left the meeting. Sel. McAuliffe served as Acting Chairman in discussing the technical vacancy that exists in the Treasurer and Collector's position by virtue of the recent Town Election. Sel. O'Connell made a Motion to appoint Stanley D. Tanenholtz Acting Treasurer and Edward J. Maguire Acting Collector for a term not to exceed 30 days, seconded by Acting Chairman McAuliffe and VOTED unanimously by a voice vote of the members present. Acting Chairman McAuliffe instructed Administrative Assistant Lundblad to notify the bonding companies of this vote as well as any appropriate State or Town agencies.

Board signed TW #101 in the amount of \$96,083.97 and TW 102 in the amount of \$3,307.74.

TOWN DEPARTMENTS

Letter to Stanley Tanenholtz informing him of his appointment as Acting Treasurer for a term not to exceed 30 days. Similar letter to Edward J. Maguire informing him of his appointment as Acting Collector.

Letter to C. E. Williams Ins. Agency requesting that the bonds for Town Treasurer Tanenholtz and Town Collector Maguire be extended for 30 days.

Letter to Anthony Grosso, Chief of Bureau of Local Taxation, Div. of Corp. and Taxation, Boston, informing the State of the Board's vote to appoint Mr. Tanenholtz as Acting Treasurer and Mr. Maguire as Acting Collector for a term not to exceed 30 days. These gentlemen will serve on an interim basis until a full-time appointed Treasurer/Collector has been selected, appointed and duly sworn in. CC: S. D. Tanenholtz, E. J. Maguire, Town Accountant Hinckley, Bd. of Assessors and C. E. Williams Ins. Agency. Letter is to go to Town Clerk Berry informing him of the above two appointments.

Letter to Town Clerk Berry notifying him of the vote of the Selectmen electing L. J. Bartolini as Chairman for the upcoming year and that the Selectmen's meetings will continue to meet every Tuesday at 7:30 p.m.

Letter to Lamy Realty & Insurance Agency and C. E. Williams Ins. Agency requesting a detailed cost estimate for the implementation of the entire Betterley Risks Report.

Legal. Letter to Town Counsel Busconi re guidelines to be established for the expenditure of the \$5,000 under Art. 29 ATM 77 for the Drop-In Center. Treasurer Tanenholtz and Admin. Assistant Lundblad would like to meet with Town Counsel Busconi as soon as possible to resolve this issue before the new fiscal year begins on July 1.

Legal. Board noted that the case of Edmond LaRose, Jr., et al vs. Donald M. Campbell, et al will be called up for argument on Tuesday, May 10, 1977 at 9:30 a.m. Room 1006.

TOWN BOARDS

THUG. Letter to William Higgins, Branch Mgr. of Mechanics National Bank, Northboro, re vault space in his bank for storage of documents from the Town Hall vault while it is being renovated.

FEDERAL FUNDING

Letter to Dept. of Treasury, Office of Revenue Sharing, stating that Form OMD-048-R0537 was returned under separate cover as required, informing them that the appropriation period did not coincide with the period of time which the Dept. of Treas. requested information on. It is not possible to inform of any action re budget approval, tax rate, or reduction or increase of employees for this period since no action can be taken without a Town Meeting vote. The anti-recessionary funding has been utilized for the purpose of paying overruns in the

group assessment for employees health program. CC: Town Accountant.

LICENSES

Certified R.R.R. letter to Hugh Arvin, 2 Fay Court, re his allowing a condition to exist on his property which is in direct violation to Art. XI-B of the Town By-Law re abandoned, unregistered or non-operating vehicles. Copy of the By-Law is to be enclosed. Sect. 4 of the By-Law restricts the number of vehicles allowed on property and Sect. 5 allows 10 days to dispose of these vehicles.

Board granted a one-day Special Permit to the Hand Tub Society c/o David Falconi to sell wine and beer at the Reinke Hall, Middle Rd., from 6 p.m. to 12 Midnight on May 13, 1977.

Board granted permit to Commonwealth Gas Co. to open Parkerville Rd. at #17 on May 12 to install a new gas service.

COMPLAINTS

Board noted letter dated 5/5/77 from M & G Convoy, Inc. answering Selectmen's 4/6/77 letter, informing the Board that Consolidated Rail Corp. has taken over Penn Central RR and have been making many changes. M & G Convoy's business is directly connected with this railroad and it is impossible to make any decision of what their future outlook may be re their Westboro operation. Due to the fact that Chrysler Corp. is about to make changes, it might require M & G Convoy's Westboro operation to cease.

ZONING

Board noted ZBA Hearing to be held 5/23/77 at 8 p.m. on the application for a variance from People Care Inc. who desire to locate at 29 Woodland Road.

APPOINTMENTS/RESIGNATIONS

Board noted May 6 letter from Robert G. Eggleston, Jr. to the Town Clerk resigning as Representative of the Southborough Board of Selectmen to the Board of Directors of South Middlesex Opportunity Council (SMOC).

STATE AGENCIES

Board noted April 27 letters from State Department of Public Works, Boston, re the DPW's vote to approve as completed work under Contract No. 28570 dated 11/20/74; Contract No. 28965 dated 3/26/75; and Contract No. 28918 dated 3/5/75.

Board noted May 5 letter from John R. Buckley, Secretary, Admin. and Finance, re the Board's petition relative to the fiscal affairs of the Commonwealth as they relate to the cities and town. He feels that the budget process and the cherry sheet process at the state level for the last two years has been considerably improved over the time before that two year period.

STATE AGENCIES (cont.)

Board noted receipt of fully executed copy of Agreement dated 1/27/77 by and between the State (MDC) and the Town re an additional connection to Shaft No. 3 in Southborough.

STATE LEGISLATORS

Board noted May 2 letter from Governor Michael Dukakis re Board's expression of concern regarding the Commonwealth's binding arbitration law. Gov. Dukakis believes that the binding arbitration law must be changed and has proposed what he thinks is a reasonable compromise.

8:48 p.m. VOTED: to adjourn the meeting.

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John A. Lundblad Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

May 17, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Admin. Assistant John A. Lundblad; interested citizens: Lois Simmons, Lorraine Keller, press representing Marlboro Enterprise, South Middlesex News and Worcester Telegram & Gazette.

9:14 p.m. Town Treasurer Tanenholtz met briefly with the Selectmen to give them the results of the bonding for the South-
9:25 p.m. borough Town Hall. He reported that Bache, Halsey & Co., in conjunction with the Worcester Co. National Bank, made the low bid of 4.45%. Ten bidders bid on the project.

Selectmen signed Treasury Warrants #103 for \$56,943.05; TW #104 for \$14,763.25; Revenue Sharing Warrant TW #14 for \$297.82.

LICENSES

Selectmen revised a License for Big W Trans, Inc. of Ashland, MA. Big W Trans had requested a common carriers license under Chapter 159 of the General Laws of the Commonwealth of Mass., as amended. The Board of Selectmen had, at an earlier meeting, granted a conditional license which the Dept. of Public Utilities found objectionable. While conferring with DPU representatives, Town Counsel Busconi recommended that the Selectmen grant the standard license under Section 1, Chapter 159, and further transmit this license to the Dept. of Public Utilities and Mr. Winterhalter, President of Big W Trans, Inc. with a clear statement that the Board of Selectmen anticipates the Dept. of Public Utilities to impose the same restriction (i.e., the termination of Mr. Winterhalter's license shall coincide with the termination of the CETA contract for Big W Trans, Inc.).

Board GRANTED permission to the Southborough Rotary Club Pancake Festival for the stringing of banners across Southville Rd. near St. Bernard's Lodge and across Main St. near the Community House. Board AUTHORIZED Highway Supt. John Boland to have a dump truck parked near the main tent for rubbish from the Pancake Breakfast which is to be held on the grounds of the Margaret Neary School, Parkerville Road, on June 5, 1977.

Board noted 5/12/77 Notice from the State Dept. of Public Utilities of public hearing on the petition of Leo P. Birmingham d/b/a Birmingham Bus Service for a Cert. of Public Convenience and Necessity to be held 6/13/77 at 2 p.m. at DPU, Boston.

ZONING

Board of Selectmen refused a zoning request from Aquatech Pools, Inc. of Chelmsford, MA. The proposal made by Aquatech Pools was for Mr. and Mrs. Jack T. Carnes, 146 Woodland Rd., Southborough. This is an apparent violation of Section VI of the Zoning By-Law of the Town of Southborough.

COMPLAINTS

Selectmen read a letter of complaint from Evelyn Littlefield, 1 White Bagley Road, re failure of the Town to live up to its obligation which resulted from a joint meeting of the Selectmen, Highway Dept., the Southborough Housing Authority and residents of the area as concerns the drain culvert along the easterly boundary of the Southborough Housing Authority off Boston Rd., Southborough. Selectmen requested the Admin. Assistant to work with the Highway Supt. and the Chairman of the Housing Authority to determine how soon this work would be accomplished.

SPECIAL PROJECTS

Sel. O'Connell requested of the Board that the Administrative Assistant contact merchants and property owners living in the so-called downtown area of Southborough Center to determine their future plans and their development ideas for the future of that commercial center of the Town. Sel. O'Connell's interest is generated in part from the fact that the Southborough Fire Headquarters will soon be placed on the market for public auction. It is the hope of the Selectmen that the best usage possible for this facility would be realized and that it might be possible to maximize that goal by discussing the potential for development with area merchants and property owners. Admin. Assistant was instructed by the Selectmen to contact said property owners to work out a map based upon the Assessors' maps detailing the existing land use, property owners, etc. Selectman O'Connell requested that the Admin. Assistant notify the Planning Board of the Selectmen's interest in the activities of the downtown area. Sel. Bartolini asked that Admin. Assistant Lundblad contact George McClelland, Ch. of the Advisory Committee, and the Chairman of the Industrial Development Commission for a joint meeting.

STATE LEGISLATORS

Selectmen noted 5/12/77 letter from State Sen. Chet Atkins thanking the Board for its enthusiastic response to the Cherry Sheet Conference on April 5, 1977.

STATE FUNDING

Selectmen noted 5/12/77 letter from State Representative Richard Rogers re the possibility of the Town receiving TOPICS funds. He informed the Board that there has been a change in the program so that a town which desires to receive this type of funding must agree to pay for the engineering costs and then the actual work will be paid for from the program. If the town desires to go ahead with this, reference should be made to correspondence dated June 29, 1976 from DPW to Louis J. Bartolini.

9:17 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Monday, May 23, 1977

7:30 p.m. The Board of Selectmen met in the office of the Administrative Assistant. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Paul R. O'Connell, Jr. and Administrative Assistant John A. Lundblad

The Selectmen interviewed applicants for the Treasurer/Collector position. Applicants interviewed were:

7:45 p.m. A Leo Davey, 166 Dennison Hill Road, Southbridge
8:30 p.m. Ruth C. Johnson, 20 Snow Street, Sherborn
9:15 p.m. Frank T. Rizzo, 6 Countryside Road, Natick

No final decision was reached and no votes were taken. The Administrative Assistant was instructed to request the presence of the Treasurer/Collector Search Committee at the next regularly scheduled meeting of the Board of Selectmen to discuss the applicants.

The only other matter of business discussed by the Selectmen was correspondence from the Town of Southborough's Historic Celebration Committee requesting the presence of the Board of Selectmen at a special meeting held Monday, May 23, 1977 at 7:30 p.m. in the Cemetery Office to discuss matters pertaining to the Town's 250th Birthday Celebration. Administrative Assistant Lundblad informed the Selectmen that it was not necessary for them to be present at this meeting since the Police and Fire Chiefs would be covering the meeting.

10:45 p.m. VOTED: unanimously to adjourn the meeting.



John A. Lundblad; Administrative Assistant
j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, May 24, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectmen Thomas W. McAuliffe and Paul O'Connell, Jr., Administrative Assistant John A. Lundblad, Mrs. Keller, Mrs. Simmons, Miss Lanza, Mr. and Mrs. Bavari, three members of the press and one other Citizen.

8:15 p.m. Board met with Right-of-Way Agent Wes Wallace for the Telephone Co., Mr. Deerstein of Mass Electric representing Robert McCabe for a pole hearing on Valley Road at a point which is approximately 150' northerly of Boston Rd.-1 pole. Selectman Bartolini read the notice sent to abutters. Wes Wallace indicated that this was merely the re-lining of the cable, that a 19' stub pole would be placed on the town taking in front of the Bavari's property with a guy wire going onto their property. Mrs. Bavari was concerned about damage to the trees. Mr. Deerstein and Mr. Wallace indicated there would be minimal trimming. Most wires would be hung out in the center of the road as recommended further up the hill. The Selectmen indicated that Tree Warden Howard Truesdale would be brought in before any cutting would be carried out on the road. Selectman O'Connell requested that the pole locations be staked, that the people have a chance to review them. If no objections are received then the work would be allowed to progress. This was put into a Motion by Selectman McAuliffe, seconded by Selectman O'Connell.

It was a unanimous voice VOTE by the Board of Selectmen to approve the permit for the location of pole and wires.

8:30 p.m. The Selectmen met with David Maynard, V.P. Worcester County National Bank, Treasurer Stanley Tanenholtz, Town Clerk Paul Berry and Town Counsel Busconi to sign Bonding Documents for the Town Hall Renovation. First, document signed was the authorization for facsimile signature signed by the Selectmen. Second, was the certificate of regular minutes of the Board of Selectmen ratifying the words "award of the bid to Worcester County National Bank and Bache-Halsey". Third, a signature and awards certificate signed by the Board. Finally, a nonarbitrage agreement signed by the Board. All the above documents were certified by the Town Clerk and approved by the Town Counsel. Selectman O'Connell wanted to know why it was so expensive for the full-disclosure proceedings. Mr. Maynard indicated that the limited guidelines allowed by the Federal and State government brings the cost up from about a little less than \$1,000 to somewhere in the range between \$4,000 and \$10,000 depending on the nature of the work. He indicated that the work done by the Town Accountant, Administrative Assistant and Treasurer minimized the amount of work that had to be done by a Bond Counsel or by Worcester County National, therefore, minimized the price. Selectman O'Connell then asked the name of the Bond Counsel. Mr. Maynard replied Ropes and Gray. Sel. O'Connell then requested information on the goals and guidelines for the full disclosure. Mr. Maynard indicated they were the goals and guidelines used by American Banking Assoc. and the Certified Public Accountant Association.

Sel. O'Connell made a MOTION which was: I move that the action taken by the Town Treasurer in advertising the \$300,000 Town Hall renovation bonds be and is hereby ratified, confirmed, approved and adopted. That said bond shall be dated as of June 1, 1977 and shall be in the denomination of \$5,000 each, that Worcester County National Bank shall certify as to the genuiness of said bonds and shall act as paying agent therefor and said bonds shall be payable \$30,000 on June 1 of each year 1978 through 1987 inclusive, shall bear interest at the rate of 4.45% per annum payable semi-annually and the bid of Worcester County National Bank and Bach, Halsey, Stewart to purchase said bonds at the price of 101.79 and interest accrued to date of delivery be and that hereby is accepted, that the Town Treasurer be and hereby is authorized to deliver said to the aforesaid purchaser or order against payment therefor. SECONDED by Sel. McAuliffe, unanimous voice vote. Sel. O'Connell and Mr. Maynard then discussed the cost of the impact of the full disclosure.

Selectman McAuliffe: I move that the following appointments be made by the Board of Selectmen: Admin. Asst' to the B of S, John A. Lundblad, 3 yr. term; Sec. to the B of S, Marjorie R. Putnam, 1 yr term; Clerks to B of S, Grace T. Ryan and A. Jean McCaw, 1 yr. term; 1 Registrar of Voters Dorothy F. Grady, 3 yr. term; 1 member Board of Appeals James R. Capello, 5 yr. term; Town Counsel Frederick A. Busconi, 1 yr. term; Fire Chief Edward F. Brock, 3 yr. term; Deputy Fire Chief John W. Boland, 1 yr term; Fire Warden Edward F. Brock, 1 yr. term; Historical Commission 1 member, P. Brent Trottier, 3 yr term; Dog Officer Charles F. Hamel, 1 yr. term; Director of Veteran's Services and Burial Agent Irene Burkis, 1 yr. term; Veteran's Grave Officer Thomas J. Grady, 1 yr term; Highway Supt. John W. Boland, 3 yr. term; Town Hall Custodian Lewis D. Maida, 1 yr. term; Supt. of Insect Pest Control Howard E. Truedale, 1 yr. term; Fayville Village Hall Committee John A. Bavari, 1 yr. term, Ceasar T. Ghiringhelli, Austin E. Kelly and Leonard E. Gorman. Fayville Village Hall Custodian Albert Phillipo, 1 yr. term; Field Drivers, 1 yr. term - Gail M. Hoss, Frank J. Rossi and Frank J. Rossi, Jr.; Pound Keeper Joseph Mauro , 1 yr. term; Deputy Pound Keepers 1 yr. term - Charles Fantoni and Charles E. Hamel; Fence Viewer 1 yr term - Robert E. Hoss and William G. Turner; Sealer of Weights and Measures Edgar A. Phaneuf, Jr, 1 yr. term; Building Inspector Edgar Phaneuf, Jr, 1 yr. term; Asst. Building Inspector in charge of Plumbing Inspections George A. LaBarre, Jr.; Asst. Building Inspector in charge of Plumbing Inspections Joseph Dedecko, 1 yr. term; Asst. Plumbing Inspector Ronald T. Courtemache, 1 yr. term; Wiring Inspector James A. McCaw, 1 yr term; Asst. Wiring Inspector Richard G. Trudel, 1 yr. term; Gas Inspector George A. LaBarre, Jr., 1 yr. term; Asst. Gas Inspector Joseph Dedecko, 1 yr. term. All the Civil Defense Dept. appointees as recommended by the Fire Chief. Appointed to the MAPC John A. Lundblad, 3 yr. term. Public Representative for the Board of Selectmen to the Board of Directors of the South Middlesex Opportunity Council for a term of 1 year - Carole Bates; Industrial Development Financing Authority - James Langway, 5 yr. term.

Seconded by Paul R. O'Connell, Jr.

VOTED unanimously by voice vote.

9:20 p.m. Selectmen met with Town Counsel Busconi to discuss a number of legal matters.
to First, Clark vs. the Town of Southborough re Grasslands Subdivision. The
9:24 p.m. consensus was to convene a joint meeting with the Planning Board, principals involved and attorneys for both sides. Second, Oak Hill car damage case. T.C. Busconi felt that 30 days allowed under the pot-hole law had elapsed and they had not made their response in a timely fashion. Third, ABCC Hearing on the Appeal of the Lime-light Corp. of the Selectmen's decision to suspend its license for a period of 7 days. Town Counsel Busconi replied that the hearing on the 26th of May was still on as far as he knew.

9:35 p.m. The Sel. met with the Treasurer/Collector Search Committee. Chairman Robert Dumont, Walter F. White, Russell Millholland were present and John Lundblad
to
10:32 p.m. and Town Counsel Busconi. Sel. O'Connell moved the meeting go into Executive Session to discuss the personalities. Stayed in ES until 10:32 p.m.
Chrmn. McAuliffe informed the press the meeting would reconvene. (Transcript follows these minutes)

Sel. O'Connell moved to come out of ES, seconded by Sel. McAuliffe. Unanimous Voice VOTE.

10:35 p.m. Selectmen met with the Chief of Police re vandalism, public drinking and the to possible decision by the Board of Selectmen not to reappoint Civilian Dispatcher Richard Long. First, the Chief indicated that progress was being made on the vandalism problem in the south end and that progress was being made in the Fayville area as well. Second, public drinking, the Chief informed the Selectmen that the law still has problems in it, although at least we have the "teeth" in the law now to have them fined as well as found guilty. Third, Mr. Long, Admin. Asst' Lundblad informed the Selectmen that the Selectmen's letter went out via Certified Mail, Return Receipt requested, but no answer had yet been received. The Chief recommended against re-appointment. He said originally he recommended for re-appointment because he

cont'

"felt sorry for him". The Selectmen instructed the Admin. Asst' to have the letter retyped and to deliver it to Mr. Long personally.

The Selectmen decided to invite the Conservation Commission to their next regularly scheduled meeting to discuss re-appointment of its members.

Selectman McAuliffe:

"Let the record show that in my original motion I neglected to state that the regular meeting of the Board of Selectmen would reconvene at the conclusion of the Executive Session. Let the record also say that the Executive Session adjourned at 10:32 p.m."

Selectman O'Connell: I move that we go out of Executive Session. Seconded, unanimous voice vote.

Selectmen signed TW #105 in the amount of \$3,044.93 and TW #106 in the amount of \$96,324.45.

TOWN DEPARTMENT

Letter to Bldg. Insp. Phaneuf informing him that the Board of Selectmen after reviewing correspondence from Att. Longden of Bowditch & Lane in Worc., concur with his assertion that the sign requested for American Optical off Rt. 30 is an accessory sign and therefore is allowable under the Zoning By-Law.

Letter to C.E. Williams Ins. Agency asking him to have covered under the proposed umbrella bonding for all nonstatutory town officials, the members of the Historical Commission who will be collecting money for the sale of the Town history.

Board noted May 19th letter from Sgt. Wm. Harpster, Training Officer to the Board inviting them to attend the graduation ceremonies and reception of the Southborough Auxiliary Police on June 13, 1977 at 7:30 p.m. Board noted General Rules and Regulations of the Southborough Auxiliary Police signed by Police Chief Francis J. Mattioli, effective January 1, 1977.

LEGAL
Board noted May 16th notice from the State Appellate Tax Board to Data General's Attorney Robert Capobianco re Data General Corp. v. Southborough Board of Assessors setting hearing for Tuesday, May 31st at 10:00 a.m., 100 Cambridge St., Boston, MA.

Legal- Board noted May 17th letter from Attorney Genero L. Morte of Morse, Morte & Rowe, to Town Clerk's office advising that he represents Peter Anderson re damages to his car on March 17, 1977 resulting from a large pothole on Oak Hill Road in Southborough.

STATE AGENCY

Memo to Highway Supt. Boland re the TOPICS Program and asking if Mr. Boland would contact the DPW to try to determine whether or not Admin. Asst's interpretation of the legislation is accurate. Enclosed with this memo is copy of Admin. Asst's memo to the Board informing the Board the Peter Murphy of CTPS states that any further action on the part of the State in implementing the TOPICS Program for Southborough rests solely with the initiative of the Chief Exec. Officer of the Town.

LICENSE

Selectmen granted a one-day Special Permit to Lions Club to sell wine and beer at Woodward Field, Cordaville Road, from 11:00 a.m. to 11:00 p.m. on Sat., 7/9/99.

TOWN BOARDS

Letter to Planning Board c/o L. Kimball, Ch. notifying them that a study will be undertaken shortly re the disposition of the Fire Headquarters in the center of Town, which may be disposed of at public auction.

Town Boards cont'

Letter to Fire Chief Brock, Ch., Fire Station Bldg Committee re approval for an extra for a total cost of \$15,015 which would be payable in the near future (noted in letter from Chief Brock to Treasurer Tanenholtz dated 5/9/77). Any extras constitutes an amendment to the contract and therefore must be signed by the Board of Selectmen before the bill can legally be paid. Prior to the signing of the TW the Board will have to sign an Agreement entering into the amended contract.

FEDERAL FUNDING

Memo to Donald Banks, Ch. Southborough Housing Authority enclosing a copy of another Notification of Fund Availability - Section 8 - Housing and Community Development Act 1974. If the Housing Authority has any interest in this, Sel. Office could check with MAPC Tech. Assistant Staff to see if it is possible to put in an application. (re rental units for elderly handicapped etc.)

Board noted receipt from USDA, Farmers Home Administration stating they have reviewed re-application for Federal assistance under 10.418 and have determined that the proposal is not eligible for funding by that agency and remarked that the "Project will not have a significant enough impact on water rates to qualify for a grant..."

ZONING

Board of Selectmen granted the following Zoning By-Law Permits to:

John Bartolini,	to build single family residence at	32 Breakneck Hill Rd.
"	"	56 Deerfoot Rd., Lot 12A
"	"	2 Foley Dr., Lot 6
Harwyn Co.	"	35 Valley Rd., Lot 10
"	"	33 Valley Rd., Lot 11
Michael McCormick	"	40 Clifford Rd., Lots 1 & 2

Board noted 5/23/77 letter from Treasurer Tanenholtz requesting an audit of the Treasurer's office from the period of the last audit to the date of his official termination in office.

11:19 p.m. Meeting adjourned.


John A. Lundblad, Administrative Assistant

MINUTES OF MEETING
BOARD OF SELECTMEN

May 31, 1977

7:00 p.m. Present: Chairman L. J. Bartolini, Sel. T. W. McAuliffe, Sel. P. R. O'Connell, Jr. met in Administrative Assistant's office with Admin. Assistant John Lundblad. Issue discussed was the salary range for the Treasurer/Collector. It was decided that the Treasurer/Collector would be offered the minimum rate at pay grade 16 - 3/4 time salary.

7:10 p.m. Selectmen met with Ruth C. Johnson of Sherborn, MA Mrs. to Johnson is the finalist in the Treasurer/Collector interview. 7:45 p.m. views. She was offered the position of Treasurer/Collector at base Pay Grade 16, 3/4 time salary. Mrs. Johnson indicated a willingness to work from approximately 9 a.m. to 2 p.m. each day with evening or weekend hours as directed by the Board of Selectmen. Discussions with Mrs. Johnson revolved around the commitment of the Board to this project, as well as discussions concerning the quality of help existing in those departments at this time.

7:45 p.m. Selectmen moved upstairs to the Conference Room to sign Treasury Warrants #107 for \$34,847.65 and #108 for \$15,152.83. 8:00 p.m. Two members of the press were present: South Middlesex News and Worcester Telegram & Gazette. Also present were interested citizens Lois Simmons, Ms. Lanza and Mrs. Keller; Mr. Hughes and Mr. Thompson from Hughes and MacCarthy, architects for the Town Hall renovation project, were sorting the bids at 7:45 p.m.

8:00 p.m. Selectmen opened sub-bids for the Town Hall Renovation project. Ch. Bartolini read aloud the legal advertisement. John Hughes read each bid aloud for the following categories: heating, HVAC, electrical, mechanical, masonry, tile, glass and glazing, plumbing and painting. Summary of bids is attached.

8:48 p.m. Sel. McAuliffe moved that the bids be taken under advisement. Motion was seconded by Sel. O'Connell and it was a unanimous voice VOTE of the Board of Selectmen to take the bids under advisement.

8:50 p.m. Board met with Arthur Taylor, Jr., Chairman of the Council on Aging. Mr. Taylor was concerned with requests from Bay Path Senior Services, Inc., a home care corporation operating under the auspices of the Commonwealth of Mass., Office of Elder Affairs. Bay Path is a cooperative organization made up of fourteen communities of which Southborough is one. Mr. Taylor reported that the Council on Aging has been approached by Bay Path requesting that the Town join the cooperative venture. He had concerns about the Town's need to join such an operation since it basically is funded through Title 20 which is a Welfare-administered program. He felt that there was a great deal of administrative overhead in Bay Path and little money for service delivery at this time. The Southborough Council on Aging made no commitment, even though twelve out of fourteen area towns have made a positive commitment to the program. Southborough has returned a no; Holliston has yet to answer. Mr. Taylor

requested the opinion of the Board of Selectmen in regard to the Town's commitment. He is concerned that the local or state match for Title 20, which is furnished by the Commonwealth Officer of Elder Affairs this year, may be forced upon the towns next year. He requested the services of the Town Counsel to investigate the program to determine whether or not Southborough has the option to secede from the association. The Selectmen lauded Mr. Taylor's concern and conscientious approach to reviewing the Bay Path proposal and cited that there are numerous problems with State-mandated programs that simply do not continue in funding and leave a great deal of responsibility upon the municipalities.

- 9:00 p.m. Board of Selectmen, upon motion made by Sel. McAuliffe and seconded by Sel. O'Connell, VOTED unanimously to go on their Summer Schedule. Selectmen will meet at 7:30 p.m. on the following Tuesdays: June 7 and 28, July 19, August 9 and 30. From September 6, 1977 on - the Selectmen will be meeting every Tuesday evening at 7:30 p.m.
- 9:02 p.m. Board VOTED to request the Bureau of Accounts to audit the financial records of the Treasurer and Collector since those two offices would be experiencing a change of officers.
- 9:07 p.m. RICHARD W. LONG arrived. Mr. Long had been offered the opportunity to speak before the Board of Selectmen re his reappointment. He informed the Board that his attorney was to arrive soon and requested the Board's indulgence in awaiting his arrival. Permission was granted.
- 9:22 p.m. Edward P. Reardon, Mr. Long's attorney, arrived as did Messrs. Hughes and Thompson. Chairman Bartolini offered Mr. Hughes the opportunity to speak before the Board in anticipation that the Hearing for Mr. Long might be lengthy. Mr. Hughes reported to the Selectmen that the mechanical sub-bids were a little high but that the tile, plumbing HVAC bids were quite low, in fact way below the estimates which he thought was quite encouraging. Mr. Hughes requested permission of the Board of Selectmen to be authorized to withdraw any low bidder who has made a mathematical error and who notifies Mr. Hughes within a day of that situation. The Board assented to this authorization; no formal vote was taken. Mr. Hughes, in summary, said that everything looks fine. The bids came well within the expected range and as mentioned before, some were actually quite low. Mr. Hughes left at 9:26 p.m.
- 9:26 p.m. Selectmen met with Attorney Edward P. Reardon to discuss to the possible decision by the Board of Selectmen not to
- 9:53 p.m. reappoint RICHARD W. LONG as Civilian Dispatcher on the Southborough Police Department. Also present, in the audience, were Ronald Mattioli and Sergeant William J. Colleary.

The following transcript is not a verbatim recording, but rather the best recollection from notes taken by Administrative Assistant John Lundblad and dictated the following morning, June 1, 1977:

Chairman Bartolini began the meeting with an introductory statement to Mr. Long and Attorney Reardon expressing the Board's feeling that it is not going to reappoint Mr. Long to his Civilian Dispatcher job, that he is not a contractual employee, therefore, not covered under the collective bargaining agreement with the Police Association. He, rather

is a Civilian Dispatcher serving at the will of the Board of Selectmen and this hearing is not required by any statute by-law or contractual agreement but rather should be looked on as a meeting afforded to an employee by the employer to discuss his possible termination. Sel. McAuliffe expressed to Mr. Long and Attorney Reardon that this should be looked on as an opportunity to discuss the problems and an opportunity for Mr. Long to offer positive reasons why the Board of Selectmen should reconsider their decision not to reappoint him.

Attorney Reardon speaking to the Board, in his opening remarks, commented that he did not know the reason for the Board's decision not to reappoint Mr. Long. He sort of felt like an attorney before a jury and the jury had already given its verdict. He felt that if this decision was because of the incident that occurred last Christmastime involving a civilian, Mr. Clifford, and he asked the Board to recall what Mr. Clifford in fact said to them in their presence under oath, that he was merely offering them the greetings of the season, and he meant him no harm. Those were quotes to the best of Mr. Reardon's recollection. Mr. Reardon also notified the Board that he had a petition in hand from all members of the Department relative to Mr. Long's efficient and effective performance of his job as a Civilian Dispatcher. The petition will be included in Mr. Long's file, as presented to the Board of Selectmen requesting that Mr. Long be reinstated. His petition was signed by Patrolman Robert Durran, Sgt. William Colleary, Auxiliary Trainee Richard Mattioli, Auxiliary Trainee Michelle Lanza, Reserve Officer Theodore Pietrasik, Reserve Officer Charles Keller, Officer Ralph Evangelous, Officer William Baker, Reserve Officer/Civilian Dispatcher Scott McCobb, Auxiliary Trainee Francis Fiorvanti, State Police Officer Michael Shimkus, Sgt. William Harpster, Reserve Officer and Dispatcher Frank Moore, Reserve Officer/Civilian-Clerk Dispatcher Willard Putnam, Officer Richard Waller, Officer Charles O'Connell, Auxiliary Trainee Steve Purcell, Officer Richard Mattioli, Custodian Ostello Gasparoni, Reserve Officer William Klein. The petition presented to the Board did not, in fact, state that the members of the department felt that Mr. Long did a sufficient and effective job, but rather stated the following:

"We the undersigned sign this petition on behalf of Richard W. Long who is a Civilian Dispatcher and Special Police Officer with the Southborough Police Department. It is our belief that Mr. Long should be reappointed due to his present working capabilities which we believe should not hinder his reappointment. He has paid and paid greatly for his past mistakes and we feel that this should be in the past and forgotten. This petition is signed under no pressure and of our own free will."

Dated May 30, 1977.

Mr. Reardon then went on to reiterate the fact that the persons whose rights were allegedly violated, Mr. Clifford, had said that his rights were not violated. He realized that it is the right or the duty of the Board of Selectmen to bring in whoever they want. However, he felt that Mr. Long has done his job. His capabilities and competence are excellent and if there was a problem with Mr. Clifford, the Selectmen should take the closest possible scrutiny

at looking at his evidence and testimony. Again, he said that he meant him no harm. He was wishing him the compliments of the season.

Selectman O'Connell then mentioned to Mr. Reardon that he would expect that his attorney would look on the bright side of any testimony and would paint the most favorable case for his client. However, he felt that the people of the Town have the right to have full confidence in every member of this department. Sel. O'Connell felt, therefore, that he needed a clear documentation that this man has tried overwhelmingly to demonstrate his capabilities during his probationary period and the period immediately after it, to demonstrate that he wants the job and he is capable of carrying the job and deserves reappointment. Sel. O'Connell then asked whether or not he (Mr. Long) could show that he has performed the job exceptionally since his suspension. Again, he mentioned that the people have the right to the utmost confidence in all members of the Police Dept. whether it is civilian or uniform.

Mr. Long then spoke mentioning that he came off probation May 4 or 5 and he received an 80 out of a 100 score on the evaluation and he felt he has justified reappointment and has done an admirable job. Attorney Reardon indicated that the reports that were before the Board in regard to the incident with Mr. Clifford are loaded with innuendos and not fact and that the hearing clarified the situation. Mr. Long asked the Board if any complaints have been received in regard to his capabilities. The Chairman responded in the negative. Sel. O'Connell noted, however, that Mr. Long's ability has been discussed with other members of the department and it came to the Selectmen's attention at that time that his performance was not satisfactory and there should be serious consideration given for his dismissal. Mr. Long then stated that he has given everything he has. If the Selectmen don't feel that it is enough, they could find someone, then they simply should find someone else.

9:53 p.m. Richard Long, Sgt. William Colleary and Attorney Reardon left at this time.

Selectmen then began to discuss the testimony received and felt that there were many names on the petition, but not all the department members and no people stepped forward to speak in person for Mr. Long. The Administrative Assistant then went downstairs to secure other evaluations in files for the meeting.

10:15 p.m. Police Chief Mattioli arrived. Chairman Bartolini asked the Chief why he originally rated Mr. Long at 80 out of 100 and later turned around, reversed his original recommendation concerning the proponent and discussed the matter of the Board recommending against reappointment. Chief Mattioli indicated he has now reservations even though he did recommend Mr. Long for reappointment. He indicated that there are a great number of calls coming into the station re his personal status, that is to say, his financial matters. The Chairman felt if this discussion was going to be pursued, it should be pursued in Executive Session. (No further discussion of that topic.) Sel. McAuliffe asked how the

Chief could give him an 80 out of 100 for all categories. The Chief indicated he thought he was making headway. Overall, his work had been done well and that he had been doing about as good a job as he had done before. He is a Special Police Officer and Civilian Dispatcher. The Chief did notice, however, that he is taking more sick time in the last month or so since he was off probation, that he has been adding sick days to weekends and days off and holidays to extend his non-duty time. On a number of occasions he has failed to show up for paid details and these had to be filled in with Police Officers from other Towns. Further, the Chief noted that he has received complaints from the engineer on the job site at Rt. 495. Sel. O'Connell indicated to the Chief that his personal feeling was that a man suspended for two weeks and put on probation for 90 days should not be reappointed unless he has been outstanding in his performance over the probationary period and the period immediately after. Sel. O'Connell asked the Chief whether Mr. Long's performance was outstanding or exemplary. Not receiving an answer from the Chief, Selectman O'Connell asked the Chief if it was fair to assume that his performance has not been outstanding, rather been average. The Chief indicated that was a fair conclusion. Chief further indicated that he was originally opposed to firing Mr. Long at the time of his suspension he spoke with the Board and asked for leave to give the man another chance to demonstrate his capabilities and show he is interested and dedicated to the job. The Chief felt that in the beginning of his probation, in fact, he was doing a better job but now again he's beginning to slack off and perhaps he's losing interest in the job. Sel. McAuliffe asked the Chief about Sergeant Connors' report on Mr. Long's progress. The Chief indicated that it is the same as the evaluation. Chief indicated that after hearing about the petition, he spoke with a couple of members of the Department and they had indicated that even though he has a number of faults, that he does do a good job as a dispatcher. The Chief further indicated that he felt that because no one ever likes to see a fellow employee fired, a number of people probably signed the petition for that reason. Sel. McAuliffe indicated that was why Mr. Long was here this evening, as nobody likes to see anyone fired and that the Selectmen wanted to give him every chance to offer any extenuating information whatsoever. Mr. Reardon then began to question the Chief, asking the Chief whether or not it was true that no one said that he is not doing an exemplary job. Mr. Reardon in the line of questioning trying to make the Chief say that Mr. Long had done an excellent or exemplary job was unsuccessful. Chairman Bartolini informed Attorney Reardon that he could not cross-examine the Chief, that this was not a hearing and the Chief was present as a voluntary witness. Mr. Long requested that the meeting be continued so that he could bring in witnesses or other interested people to speak in his behalf. The Chairman indicated that this is not to be continued. This is not a Hearing. It is a courtesy meeting, that was duly notified well in advance, notified that he could be present or he could bring his attorney and therefore it is fair to assume that he could give his case if he so desired. Mr. Long then indicated that he had never failed to show up for a job; he had always called at least 8 hours in advance. He stated he felt that he did do a good job and he asked the members of the audience present to speak in his behalf. Sel. O'Connell again stated that he felt that he would

need ringing endorsement from Mr. Long's superior, namely the Police Chief, prior to being able to make a reappointment after such a serious offense. Further, Sel. O'Connell indicated that he felt it was not fair to put the audience on the spot to either speak in favor or against Mr. Long and therefore recommended against inviting comments from the audience. Ch. Bartolini felt that it was not appropriate to put pressure on the members of the audience and the press and that he would not entertain any public statement from the citizens present. He also concurred with Sel. O'Connell's feeling that he needed an endorsement from the Department Head prior to making a reappointment in a situation like this and he said the endorsement simply is not there. Sel. McAuliffe stated that without the Chief's endorsement that he has no alternative but to vote against reappointment. Mr. Long then stated that he conceded that he had slacked off, that he does have personal problems and it may have affected his work to a degree. He asked how the Board could fire a guy when he got an 80 on a score. He didn't think it was right, didn't think it was fair to send him to the unemployment line when there are all kinds of high school seniors and other people out there unemployed. Attorney Reardon then in summary stated that he felt that it wasn't fair that the Board had made up its mind before the Hearing, that the Chief himself said that this man had done an excellent job. Sel. O'Connell then interrupted saying the Chief had never said that he had done an excellent job but rather that he had done an adequate job, not an outstanding job, not a top-notch recommendation, just an 80 out of 100. Mr. Reardon then stated that he did not know that outside testimony would be allowed and if he knew this was a popularity contest he would have brought in as many people as he could. Mr. Long then asked the Board whether or not it was statutorily correct that at the end of a probationary period that he should be notified in writing or verbally that he was off probation. He felt that he never had been notified that his probation had expired and therefore his rights were not protected. He requested permission to call Sergeant Colleary, have him come in and speak in his behalf. Selectman Bartolini refused saying that he had every opportunity to speak and to bring in anyone he wished. He was notified twice. It was in the newspaper and he had ample notification of this meeting. A motion was then made by Sel. McAuliffe, seconded by Sel. O'Connell, and unanimously VOTED that Richard Long not be reappointed as Dispatcher to the Southborough Police Department.

Mr. Long requested the effective date of the failure to reappoint. Selectman Bartolini informed him immediately. Sel. McAuliffe asked the Chief whether or not he was satisfied. He indicated that he was. Mr. Long left at this time.

10:44 p.m. Sel. McAuliffe then made a motion to make all police appointments as per the recommendations of Police Chief Mattioli. Motion was seconded by Sel. O'Connell and was unanimously VOTED to appoint the following to the Southborough Police Department: (It was later brought to the attention of the Board of Selectmen that they had inadvertently missed the name of Henry Pietrasiaik as a Regular Police Officer. Sel. McAuliffe made that motion, seconded by Sel. O'Connell, and unanimously voted to appoint Henry Pietrasiaik as a Regular Police Officer on the Southborough Police Department) ...

JAIL KEEPER

Francis J. Mattioli, Chief of Police

SERGEANTS

William J. Colleary, Jr.
William C. Harpster
Philip L. Connors

REGULAR OFFICERS

Robert J. Durran
Charles R. O'Connell
Richard L. Mattioli
Ralph M. Evangelous
Richard C. Waller
William D. Baker

(Above are also appointed as Contables)

Henry D. Pietrasiaik

RESERVE OFFICERS

Willard S. Putnam
Donald R. Banks, Jr.
Frank W. Moore
Theodore Pietrasiaik
Scott P. McCobb
Joseph E. Bennett
Charles A. Keller
William E. Klein
Danny R. Chernewski

CLERK-DISPATCHER

Willard S. Putnam

CIVILIAN DISPATCHERS

Scott P. McCobb
Frank W. Moore

POLICE MATRONS

Anna M. Beliveau
Mary-Jane F. Boland

CUSTODIAN

Ostellio E. Gasparoni

SPECIAL POLICE OFFICERS

Alvah Bugley - Eastleigh Property
Lewis D. Maida - Town Hall
John W. Boland - Highway Dept.
Calvin J. Mauro - Highway Dept.
George R. Boothby - Highway Dept.
Albert J. Phillipo - Fayville Village Hall
Edward F. Brock - Civil Defense Dir.
James A. McCaw - Fay School Property
George A. Hubley, Sr. - St. Matthews Church and South Union School

The following Firemen to be appointed as SPARE POLICE OFFICERS for (Extra) Detail Work only when assigned by the Chief of Police:

Chief Edward F. Brock
Frank Aspinwall
Donald R. Banks, Sr.
Arthur Cannon
George Killam
George Mooney
Peter Phaneuf

SPARE POLICE OFFICER
Douglas C. Packard

Selectman O'Connell then made a motion concerning the Transfer Station:

"I suggest this for reconsideration - Western Electric and Commonwealth Gas may be charged for the use of the Transfer Station during a limited period of time and where the Board of

Selectmen desire to encourage positive relationships between the Town and businesses located within the Town, I would like to move that the Board of Selectmen adopt the following vote not limited as to time regarding charges for the use of the Transfer Station: (1) no charge for use by residents of the town or businesses other than commercial haulers located in the Town; (2) no charge for commercial haulers when delivering solid waste of businesses located within the Town; and (3) \$17 per ton for commercial haulers when delivering solid waste of residents of the Town.

In consideration of the possible use of the Transfer Station by another town which you gentlemen have discussed over the past year, I further move that the Board direct the Highway Supt. to establish a complete system of rates which could be utilized. And I understand that it is his wish that we be authorized to prepare such a rating system."

Sel. O'Connell stated that he had one other issue relating to the Transfer Station which really doesn't bear directly on the first of the things he discussed and would like to defer that for the moment.

Sel. Bartolini requested that he be allowed to review Sel. O'Connell's motion and discuss this matter next week, as this is the first time he has heard this suggestion.

Selectman McAuliffe made a Motion, seconded by Sel. Bartolini, and it was unanimously VOTED to appoint the following:

PUBLIC WEIGHERS AND WEIGHERS OF COAL (one year terms):
Albert L. MacDonald, Jr. c/o Almac Moving & Storage, Inc.
35 Turnpike Road. Southborough
Dennis MacDonald c/o Almac Moving & Storage, Inc.
Francis Dunbar c/o Almac Moving & Storage, Inc.
James Mayer c/o Almac Moving & Storage, Inc.
James Deasy c/o Almac Moving & Storage, Inc.
William Tommola c/o Almac Moving & Storage, Inc.
Charles Potter c/o Almac Moving & Storage, Inc.
Frank J. Douglas, 45 Boston Road, Southborough
John J. Falconi, 9 Newton St., Southborough
Joseph Mauro, 37 Boston Road, Southborough

TEMPORARY COLLECTOR, under provisions of Chapter 41, Section 40 Jennifer Bishop, Break Neck Hill Road (see details below).

APPOINTMENTS/RESIGNATIONS

Mrs. Bishop was voted as Temporary Collector until Mr. Maguire returns from his illness. Mrs. Bishop was AUTHORIZED to have her name placed on the signature blocks for the Collector's checking account and to draw down necessary funds for transfer to the Town Treasurer for investment. Mrs. Bishop is to be so notified of this appointment and should appear before the Town Clerk as soon as possible to be sworn in.

STATE AGENCIES

Letter to Robert Crosby, Acting Director of the Dept. of Corp. & Taxation, notifying him of the Board's vote to appoint Jennifer Bishop as Temporary Collector. Mrs. Bishop's bond will be expanded to insure continuity in this office.

TOWN BOARDS

Letter to Inge Tufts, Ch. Conservation Com. thanking them for their cooperation in allowing the Cemetery Commissioners to burn the brush and leaves accumulated on the land in question, also their cooperation in allowing them to level off this area without further filling or expanding the filled area. CC: Town Counsel Busconi.

Letter to Personnel Board c/o Janice Fletcher, Ch., stating that the current pay grade for the Town Accountant is not in parity with other town officials possessing commensurate responsibility and authority. Selectmen urge the Personnel Board to look into the possibility of upgrading the Town Accountant's compensation grade

Letter to Evelyn Littlefield, 1 White Bagley Rd., re her letter of May 9, informing her that Highway Supt. Boland has inspected the work carried out by the Housing Authority and its contracted agents and feels that the work is well within specifications agreed to by the Selectmen, SHA, abutters and Highway Supt. The Selectmen AUTHORIZED Highway Supt. to carry out whatever engineering studies are necessary to verify the results of his in-site inspection. CC: Donald Banks, Chairman SHA, Highway Supt. Boland and Town Counsel Busconi.

LICENSES

Selectmen granted a one-day Special License to American Legion, Bagley-Fay Post 161, to sell wine and beer July 3 from 11 a.m. to 7 pm.

Sel. granted a one-day Special License to Southborough Lion's Club to sell wine and beer at a booth located on Main Street from 9 a.m. to 4 p.m. Saturday, July 9.

COMPLAINTS

Memos to Highway Supt. Boland and Police Chief Mattioli re traffic hazard at Rt. 9 and Middle Road. Large trailer trucks are parked along these roads near Lugia's Sub Shop and block the vision of persons trying to exit from Middle Rd. onto Rt. 9.

Letter to Mrs. Walter Eremich re her telephone complaint of May 23 informing her that the mess at the back side of the Cemetery has been cleared.

ZONING

Board granted a Zoning By-Law Permit to Peter Phaneuf to build a single residence on 179 Middle Road (Lots 2 and 3).

TOWN DEPARTMENTS

Letter to Board of Library Trustees enclosing sections of final copy of the D. A. Betterley Risk Consultants Insurance Study of the Town that relate to the Southborough Library.

Legal. Letter to Town Counsel Busconi asking him to contact Arthur Taylor, Jr., Chairman of the Council on Aging, re the funding and the Town's obligation, if any, through Bay Path Senior Services, Inc. if Southborough becomes a member community. CC: Arthur Taylor, Jr.

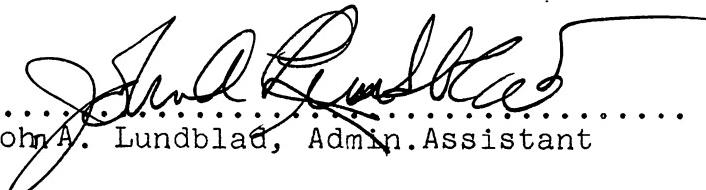
Letter to Highway Supt. Boland AUTHORIZING him to use the services of MacCarthy and Sullivan Engineering or any other engineering firm, for the purpose of completing the inspection of the SHA drainage of the brook at the easterly boundary of the SHA Boston Road project.

FEDERAL FUNDING

Letters to Supt. of Cemetery Dept. Leo Bertonazzi, Supt. of Water Dept. William Binder, and Highway Supt. John Boland asking them if they have any interest in hiring any young people in the Neighborhood Youth Corps. Program. If so, contact Selectmen's office as soon as possible. CC: Recreation Commission c/o Ch. J. Madison and Conservation Commission Ch. Inge Tufts.

11:11 p.m. Motion was made by Sel. McAuliffe, seconded by Sel. O'Connell, and unanimously VOTED to adjourn the meeting.

jal/mp


John A. Lundblad, Admin. Assistant

Sub
re: bids opened
5-31-77
Town Hall
Renovation

RECEIVED BOARD
6/1/77
DATE JUN 2 1977 RECD
BUREAU OF SELECTMEN
SOUTHBOROUGH

To All General Bidders

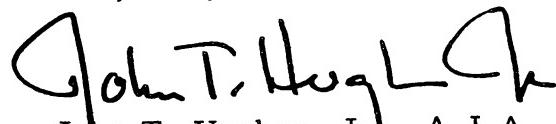
re: Town Hall Renovations
Southborough, Massachusetts

Gentlemen:

Enclosed herewith is the BID TABULATION listing the sub-bidders and their respective bid proposal amounts to be used in compiling Item 2 of the Form for General Bid.

If you have any questions, please call at your earliest convenience.

Very truly yours,


John T. Hughes, Jr., A.I.A.

June 1, 1977

JTH:ek
Enclosures

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTSSECTION 4A
MASONRY

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
									Ck BB
Stronghold Masonry, Inc. 287 Concord Rd. Wayland, Mass. 01778 358-4371	\$11,980	-4800	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	
		REMARKS							
Acmat Corp. 141 Prestige Park Rd. East Hartford, Conn. 06108 203-289-6493	\$ 3,880	-1700	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
		REMARKS							
		Restricted to Self							
Aliberti Bros., Inc. P.O. Box 327 Wakefield, Mass. 01880 245-1400	\$ 8,000	-4,000	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	
		REMARKS							
		Restricted TO Self							
Antonelli Construction Co. P.O. Box 563 Worcester, Mass. 01613 753-7436	\$15,117	-5700	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
		REMARKS							
		Restricted TO Self							
F. Chiavarini Constr. Co., Inc. R.F.D. #1 Framingham, Mass. 01701 872-5614	\$ 9,400	-4,600	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	
		REMARKS							
		Restricted TO Self							
Colangelo Construction 160 Sterling St. West Boylston, Mass. 01583 835-4706	\$13,000	-4,000	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
		REMARKS							
		Restricted TO Self							
Not Used									Ck BB
		REMARKS							
C.Q. Construction Corp. 2120 Commonwealth Ave. Auburndale, Mass. 02166 965-4784	\$ 6,000	-2,500	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	
		REMARKS							
		Restricted TO Self							

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTSSECTION 4A
MASONRY

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Dalco Contracting, Inc. 372 Lovell St. Worcester, Mass. 01602 754-8054	\$19,196	-6,898	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Delfour, Inc. 31 Chickatawbut St. Dorchester, Mass. 02122 265-7442	\$ 4,600	-200	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Francis Harvey & Sons, Inc. 141 Dewey St. Worcester, Mass. 01610 752-2876	\$ 4,100	-480	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Lauring Construction Co., Inc. 23 Brigham Rd. Worcester, Mass. 01605 755-0754	\$ 8,700	N.C.	Ck BB X						
REMARKS									
F.W. Madigan Co., Inc. P.O. Box 586 Worcester, Mass. 01613 753-1459	\$18,975	-6,750	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Rochedford Construction Co., Inc. 227 West Central St. Natick, Mass. 01760 653-6270	\$ 5,200	-4,000	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Start-Rite Corp. 120 Arlington St. Framingham, Mass. 01701 875-1911	\$ 9,000	-3,600	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
									Ck BB
REMARKS									

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTS

SECTION 8B
GLASS & GLAZING

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Bessette & Sons Glass Corp. 362 Summer St. Fitchburg, Mass. 01420 345-7501	\$2,829	N.C.	Ck BB X						
REMARKS									
General Glass Service, Inc. 340C Cape Road Mendon, Mass. 01756 478-3330	\$4,250	N.C.	Ck BB X						
REMARKS									
Glass Contractors, Inc. 43 East Worcester St. Worcester, Mass. 01604 791-3638	\$2,890	N.C.	Ck BB X						
REMARKS									
Restricted FROM: Jefferson, Weston, Bonivere & Minuteman									
NOT USED									Ck BB
REMARKS									
NOT USED									Ck BB
REMARKS									
National Plate & Window Glass Co. Inc. 216 McGrath Highway Somerville, Mass. 02143 523-5315	\$3,697	N.C.	Ck BB X						
REMARKS									
Restricted FROM: Allied Air & Refrigeration Co.									
									Ck BB
REMARKS									
									Ck BB
REMARKS									

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTS

SECTION 9A
PAINTING

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Dalco Contracting, Inc. 370 Lovell St. Worcester, Mass. 01602	\$10,463	N.C.	+50	N.C.	+2082	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
J.A.L. Painting, Inc. 46 Franfort St. Fitchburg, Mass. 01420 342-8454	\$ 9,750	N.C.	+240	+800	+2000	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Millbury Painting Corp. P.O. Box 1723 Worcester, Mass. 01607 754-5005	\$10,350	N.C.	-35	-550	+1600	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Restricted TO: J. Colangelo & Son									
Arthur J. Roberts & Co., Inc. 416 Pelham St. Methuen, Mass. 01844 683-8103	\$10,750	N.C.	+65	N.C.	+3800	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
Southeastern Painting Co., Inc. 210 No. Harvard St. Boston, Mass. 02134 783-3603	\$11,489	N.C.	+185	+1200	+3575	N.C.	N.C.	N.C.	Ck BB X
REMARKS									
REMARKS									
REMARKS									

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTS

SECTION 9C
CERAMIC TILE

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Adams Tile Co. 5 Coe Rd. Framingham, Mass. 01701 877-4301	\$2,090	N.C.	Ck BB X						
REMARKS Restricted FROM: Fred J. Findlen & Sons									
NOT USED									Ck BB
Central Tile Co., Inc. 12 Day St. Lynn, Mass. 01905	\$2,844	N.C.	Ck BB X						
REMARKS									
NOT USED									Ck BB
Kesselli & Morse Co.. 242 Canterbury St. Worcester, Mass. 01603 752-1901	\$2,437	N.C.	Ck BB X						
REMARKS									
Peerless Tile & Terrazzo Corp. 551 Warren Ave. East Providence, R.I. 02914	\$2,850	N.C.	Ck BB X						
REMARKS									
									Ck BB
									Ck BB
									Ck BB

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTS

SECTION 15A

PLUMBING

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Wambolt Plumbing & Heating Co. Inc 11 Wadsworth Ave. Waltham, Mass. 02154 894-2636	\$12,654	N.C.	Ck BB X						
REMARKS									
Valante Mechanical Contractors, Inc. 145 Water St. Quincy, Mass. 02169 773-7200	\$13,155	N.C.	Ck BB X						
REMARKS									
George Labarre Plumb. & Htg. Co. 36 Bigelow Rd. Southborough, Mass. 01772	\$13,181	N.C.	Ck BB X						
REMARKS									
William F. Lynch Co., Inc. 11 Canterbury St. Worcester, Mass. 01610 756-5705	\$13,820	N.C.	Ck BB X						
REMARKS									
Norfolk Plumbing Contractors, Inc. 61 Copeland St. Quincy, Mass. 02169 472-4400	\$13,900	N.C.	Ck BB X						
REMARKS									
Tucker & Rice, Inc. P.O. Box 336, 451 Southbridge St. Worcester, Mass. 01613 755-1214	\$15,396	N.C.	Ck BB X						
REMARKS									
F.A. Gatto, Inc. 496 Millbury St. Worcester, Mass. 01607	\$16,940	N.C.	Ck BB X						
REMARKS									
Restricted FROM: J.J. Bonivaire Co., Natick									
Edward C. Kelly Co., Inc. 94 Allen St. Braintree, Mass. 02184 843-4118	\$16,990	N.C.	Ck BB X						
REMARKS									
Restricted FROM: Franchi Bros. Construction Corp.									

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTSSECTION 15A
PLUMBING

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
M.D. Holmes & Sons Co. 33 Millbrook St. Worcester, Mass. 01607 752-7593	\$17,605	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	Ck BB
REMARKS									
Mid-State Plumbing & Heating, Inc. 68 Francis St. Worcester, Mass. 01606 853-1163	\$17,822	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	Ck BB
REMARKS									
Royal Steam Heater Co. 499 Main St. Gardner, Mass. 01440 632-0770	\$18,550	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	Ck BB
REMARKS									
Peter Garabedian 69 Pleasant St. Paxton, Mass. 01612	\$18,580	N.C.	N.C.	N.C.	N.C.	N.C.	N.C.	N.C. X	Ck BB
REMARKS									
									Ck BB
REMARKS									
									Ck BB
REMARKS									
									Ck BB
REMARKS									
									Ck BB
REMARKS									

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTSSECTION 15B
HEATING

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
		Ck	BB	X					
F.A. Gatto, Inc. 496 Millbury St. Worcester, Mass. 01607 754-5769	\$73,300	N.C.	N.C.	N.C.	N.C.	-7300	-4400	-2250	Ck BB X
		REMARKS Restricted FROM: J.J. Bonivaire, Natick							
J.E. Dedecko Co. 34 Cotting Ave. Marlboro, Mass. 01752 485-7154	\$74,865	N.C.	N.C.	N.C.	N.C.	-4128	-2572	-2250	Ck BB X
		REMARKS							
J.G. LaMotte & Son, Inc. 96 Dewey St. Worcester, Mass. 01610 237-5705	\$78,600	N.C.	N.C.	N.C.	N.C.	-6700	-3800	-3300	Ck BB X
		REMARKS							
Mid-State Plumbing & Htg., Inc. 68 Francis St. Worcester, Mass. 01606 853-1163	\$80,834	N.C.	N.C.	N.C.	N.C.	-4500	-2400	-4675	Ck BB X
		REMARKS							
M.D. Holmes & Sons Co. 33 Millbrook St. Worcester, Mass. 01606 752-7593	\$81,639	N.C.	N.C.	N.C.	N.C.	-5600	-3324	-2887	Ck BB X
		REMARKS							
Tucker & Rice, Inc. P.O. Box 336, 451 Southbridge St. Worcester, Mass. 01613 755-1214	\$82,306	N.C.	N.C.	N.C.	N.C.	-9693	-6122	-6000	Ck BB X
		REMARKS							
William F. Lynch Co., Inc. 11 Canterbury St. Worcester, Mass. 01610 756-5705	\$85,189	N.C.	N.C.	N.C.	N.C.	-7500	-4800	+6500	Ck BB X
		REMARKS							
Royal Steam Heater Co. 499 Main St. Gardner, Mass. 01440 632-0770	\$86,750	N.C.	N.C.	N.C.	N.C.	-6800	-4600	-4800	Ck BB X
		REMARKS							

BID TABULATION

PROJECT TOWN HALL RENOVATIONS
SOUTHBOROUGH, MASSACHUSETTS

SECTION 16A
ELECTRICAL

NAME, ADDRESS & TELEPHONE	BASE BID	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5	ALT. 6	ALT. 7	Deposit
Electric Service & Supply Co., Inc. 104 Fairfield St. Worcester, Mass. 01602	\$37,450	N.C.	N.C.	N.C.	N.C.	-810	-349	N.C.	Ck BB X
REMARKS									
Eyles Electric, Inc. P.O. Box 337, 125 Temple St. Fitchburg, Mass. 01420 345-6557	\$38,300	N.C.	N.C.	N.C.	N.C.	-500	-350	N.C.	Ck BB X
REMARKS									
J.J. Finn Electrical Service, Inc. 357 Neponset Ave. Dorchester, Mass. 02122 825-9740	\$45,300	N.C.	N.C.	N.C.	N.C.	-900	-500	N.C.	Ck BB X
REMARKS									
Angelo J. Gandolfo Electrical Contr. 4 Tripp St. Framingham, Mass. 01701 879-7023	\$44,189	N.C.	N.C.	N.C.	N.C.	-450	-300	N.C.	Ck BB X
REMARKS									
Mutual Electrical Co., Inc. 190 Fremont St. Worcester, Mass. 01603 753-5464	\$34,579	N.C.	N.C.	N.C.	N.C.	-858	-450	N.C.	Ck BB X
REMARKS Restricted FROM: Francis L. Piermarocchi									
REMARKS									
REMARKS									
REMARKS									

A Law Says It's Illegal To Catch Mice Without A Hunting License

It actually happened!

**In fact,
there are hundreds
of silly laws like that
in municipalities all over America.**

**But,
if you work
with ordinances regularly,
you know
that outdated and impractical laws
are not always amusing.**

**Sometimes
they can be downright dangerous.**

**What's more...
that's only one of the problems
facing communities
without a municipal code that
is complete, up-to-date
and easy to use.**

**We know.
Our job is to provide
codes that work.**

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Rochester, New York 14624
716/328-1810**

MINUTES OF MEETING
BOARD OF SELECTMEN

June 7, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas A. McAuliffe, Selectman Paul O'Connell, Jr., William E. Hynes, Research Assistant for Selectmen's Office, and members of the press. (Administrative Assistant John Lundblad was on vacation.)

Chairman Bartolini introduced the new Treasurer/Collector Ruth C. Johnson to the public and the press.

Selectman McAuliffe moved that Ruth C. Johnson be appointed Treasurer/Collector beginning July 11, 1977 for a three-year period. Motion was seconded by Selectman O'Connell and it was a unanimous voice VOTE.

7:40 p.m. John Hughes and John Travers of Hughes & MacCarthy (Town Hall renovation architects) arrived.

7:45 p.m. Town Counsel Frederick Busconi arrived.

7:45 p.m. Selectman McAuliffe made a Motion to allow subcontractor Chas. Markarian, Markarian Plumbing & Heating, Inc. to withdraw his filed sub-bid; Section 15A, Plumbing, in the amount of \$11,000 because of a mathematical error in tabulating the bid and to direct the architect to return to Charles Markarian Plumbing & Heating, Inc. its bid bond. Motion was seconded by Sel. O'Connell and it was a unanimous voice VOTE.

7:50 p.m. Chairman Bartolini requested that a letter be written to William Harpster, President, Southborough Auxiliary Police Association, stating that Selectmen will attend Auxiliary Police Graduation on Monday, June 13, 1977 at 7:30 p.m.

Paul e Brefka arrived.

8:00 p.m. Ch. Bartolini announced the opening of General Bids for Renovation of Town Hall and Exterior Cleaning. Ch. Bartolini read aloud the legal ads.

8:05 p.m. John Hughes opened and read aloud the General Bids. Bids were taken under advisement by THUG Committee so that bids could be awarded.

8:25 p.m. William E. Hynes, Research Assistant to the Selectmen, read bids for Exterior Renovation of Town Hall. It was AGREED that the Exterior Bids would be taken under advisement and the Bid awarded at a later date.

8:40 p.m. Chairman Bartolini instructed Mr. Hynes to notify by telephone and by letter the two applicants who did not get the job of Treasurer/Collector. Copy of letter to go to Treasurer/Collector Search Committee Chairman Mr. Robert Dumont.

8:45 p.m. Letter to HUD appealing Parkerville Road grant decision read by Ch. Bartolini. Letter was signed by the three Selectmen.

- 8:50 p.m. Labor relations material on unionization of Highway and Water Departments given to Town Counsel Busconi.
- 8:55 p.m. Conservation Commission members: Inge Tufts (Chairman), Delia Mulvaney, Bruce Ey, Hamilton Armstrong, Charles Self; Cemetery Commissioners: George A. Mooney and Thomas J. Grady (Chairman) and Cemetery Supt. Leo Berthonazzi, arrived for a meeting with the Selectmen. Chairman Bartolini opened the meeting by saying that there was a lack of communication between the two Boards and an effort should be made to improve this. A discussion followed between the Boards re conditions at the Cemetery and a letter that Inge Tufts sent to the newspapers re the Cemetery. It was agreed that a meeting would be set up at the Cemetery this Saturday to go over problem areas.
- Inge Tufts outlined Conservation Commissioners' effort to get more Conservation land centrally located. The Selectmen advised them to contact the private schools in Town to see if something can be worked out with them. Sel. O'Connell asked for a resume from the Conservation Commissioners on what they are trying to do. Bruce Ey announced he would not be eligible for reappointment since he is leaving Town. Meeting was concluded.
- 10:00 p.m. Paul Brefka, Ch. of THUG, announced that Francis Harvey & Sons, Inc. of Worcester, were awarded the General Contract on the Town Hall Renovation at \$266,900 less credit of \$687 for Alternate 3. It was announced the work should start July 5, 1977 at the earliest and no later than July 18, 1977. Paul Brefka made above motion. It was seconded and passed unanimously.
- 10:10 p.m. Paul Brefka announced that the contract for paving the concrete floor in the Town Hall basement had exceeded the 30-day limit and that the contractor requested his bid be withdrawn. Motion was made, seconded and passed unanimously.
- Paul Brefka made a motion that Ronald Heckman Const., Northboro, be allowed to withdraw from his bid on the concrete slab for the Town Hall. Selectman O'Connell seconded the Motion. VOTED unanimously by voice vote.
- Selectman McAuliffe made a Motion that the one and only bidder requesting to be relieved from his bids under the proper section under the General Laws, that the Board of Selectmen take whatever necessary action to clear this emergency.
- 10:15 p.m. Selectman McAuliffe moved that due to the emergency nature of the contract, that Highway Supt. John Boland get three other bids without legal advertising and award contract so that the floor can be poured and cured before general contractor comes in. Motion was seconded by Sel. O'Connell and VOTED by unanimous voice vote.
- 10:20 p.m. Meeting with George Clark re Grassland Subdivision (off Flagg Road). Board VOTED to go into Executive Session since this case is in litigation. It was announced that the regular session of the Selectmen's Meeting would reconvene after the Executive Session.

- 11:34 p.m. Executive Session ended. Regular session resumed by unanimous VOTE.
- 11:35 p.m. Highway Supt. Boland gave specs to Selectmen for rubbish hauling from Transfer Station. It goes out to bid on June 14, 1977 so the Selectmen will review it.
- 11:40 p.m. Ch. Bartolini said Police Dispatcher position cut-off date on receipt of applications would be Thursday, June 9, 1977. Interviews to be scheduled for Wednesday, June 15, 1977 starting at 7:30 p.m.
- 11:42 p.m. LICENSES - Request by Pilgrim Church to block street adjacent to church from 10 a.m. to 10:30 a.m. from July 11, 1977 to July 15, 1977. APPROVED. Police and Fire Departments are to be notified regarding the route, time, etc.
- 11:45 p.m. Selectman O'Connell made a Motion to extend temporary appointments of Acting Treasurer and Temporary Acting Collector to July 10, 1977 or until new Treasurer/Collector assumes office. Motion was seconded by Sel. McAuliffe. VOTED unanimously by voice vote.
- 11:50 p.m. Sel. McAuliffe moved that Delia Mulvaney and Inge Tufts be reappointed to Conservation Commission for 3 year term when their current term expires. Motion was seconded by Sel. O'Connell and VOTED unanimously.

It was advised that George McClelland of the Advisory Committee set up a meeting. A tentative dated of June 28, 1977 was suggested.

Sel. O'Connell suggested that Administrative Assistant John Lundblad meet with businessmen for discussion re Southborough Center.

Selectmen signed TW 109 for \$513,915.32; TW 110 for \$3,295.43; Revenue Sharing TW #15 in the amount of \$13,868.73.

ZONING

Selectmen granted Zoning By-Law Permits to: (1) Robert Sellew to build a single-family residence on 13 Valley Rd. (Lot 103), and (2) John and Judith Budz to build a single family residence and home office on 9 Crestview Drive (Lots 24A and 25B)

TOWN DEPARTMENTS

Selectmen signed a letter to go to Southborough Police Assoc. c/o Sgt. William Harpster, Pres., stating that at the meeting held on June 6, 1977 between Louis J. Bartolini, Ch. of Bd. of Selectmen, Police Chief Mattioli, Patrolman O'Connell, Sgt. William Harpster and Patrolman Durran, it was AGREED that responder time put in at school by the Police Dept. personnel shall be compensated by compensatory time off equal to the time they attended school and not at the time and a half rate as prescribed by law due to the budgetary problems of the Police Dept. This does not set a precedent for the future and is merely a temporary situation to offset budget problems.

TOWN DEPARTMENTS (cont.)

Legal. Letter to Board of Assessors stating that Town Counsel Busconi will be contacting them shortly with an opinion as to the dept. responsible for the preparation of the commitment sheet, Assessors or Collector. CC: Jennifer Bishop, Temporary Collector and Town Counsel Busconi.

Memos to all dept. heads re availability of audio visual projectors for department use which have been received on the Federal Surplus Equipment Program.

Legal. Board noted Case of Data General Corp. Appellant vs. Bd. of Assessors, Appellee Ordering on Appellant's Motion to Default Appellee, filed 5/11/77, that the Motion be allowed that the Order shall be vacated if answers to said interrogatories are filed on or before 7/8/77.

APPOINTMENTS/RESIGNATIONS

Board noted 6/1/77 letter from Moderator Swartwood appointing to the Advisory Committee for a term of three years: Sherman H. Ball, 4 Boston Rd., Edward V. Chaput, 94 Oak Hill Rd., Fayville, and Philip A. Jenks, 5 Latisquama Rd.

FEDERAL FUNDING

Board noted May 20, 1977 letter from Congressman Early re the denial of the pre-application which the Town filed with the Farmer's Home Admin. for funding under the Water and Waste Disposal Systems for Rural Communities. Cong. Early was advised that a determination had been made that the pre-application did not meet the eligibility requirements for this particular FmHA program, specifically re the median income of the community and also FmHA authorities questioned whether the funding investment would make an impact on user rates. Cong. Early registered his strong support for this funding request and asked that serious and careful consideration be given to the merits of this proposal.

Board noted May 27 letter from Carla Johnston, MAPC Exec. Dir. re project notification of intent for Parkerville Rd. Landfill site and surrounding area improvements, stating that the MAPC (A-95 Clearinghouse) supports the Town's application for funding. The project is consistent with metropolitan goals and objectives relating to water quality and the protection of existing sources of water supply.

Board noted May 30 letter from Frank Keefe, Dir. of State Planning, re A-95 Review/Landfill Site Improvements - Water System Improvements State Application, informing the Board that it has received this application requesting \$101,000 and wishes the Town success in its applic. to the Federal funding agency.

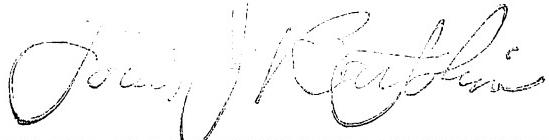
ZONING

Board noted ZBA Decision to deny application for a variance to People Care, Inc. for an outpatient facility for mental health and human services at 21 Woddland Road.

ZONING (cont.)

Board noted ZBA Decision to grant application for a variance to Stonegate Realty Trust, Stanton T. Fitts & Stephen A. Fitts, Tr. re use of driveway on the southwest corner of Worc. Rd. and Middle Road.

12:10 a.m. VOTED: to adjourn the meeting,



Louis J. Bartolini, Chairman
Board of Selectmen

weh/mp

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN
Tuesday, June 14, 1977

7:30 p.m. Present: Selectman Paul R. O'Connell, Jr., Town Counsel Frederick A. Busconi, Administrative Assistant John A. Lundblad. Selectman Thomas W. McAuliffe was not present.

7:35 p.m. Chairman Louis J. Bartolini arrived.

7:45 p.m. John W. Boland Highway Superintendent arrived.

7:45 p.m. Selectmen met with WILLIAM MCLAY d/b/a/ Design Concepts as concerns application for building lots at the intersection of Richards Road and Route 85 in Southborough. Plans were shown to the Selectmen and accepted by the Board to be forwarded to the appropriate boards in Town for building permits.

8:00 p.m. Selectmen opened the bids for the hauling of the solid waste from the transfer station. Selectman Bartolini requested that the full legal ad not be read un-

8:10 p.m. less any bidders or citizens or members of the press so requested. Since no requests were forthcoming, Selectman Bartolini did not read the legal ad.

The bids were opened and the summary of bids is below.. The bids were taken under advisement by the Selectmen pending review by Town Counsel Frederick A. Busconi and Mr. Boland. Present at the bid opening were Ray Lawrence, Browning-Ferris Industries and his son.

SUMMARY BIDS

	Item 1	Item 2	Item 3	Item 4	Item 5	Item 6
East Bridgewater Associates	17.50 61,250.-	17.50	18.32 64,120.	17.51	18.79 65,765.	17.88
Browning-Ferris Industries	35.00 122,500	19.60	36.55 127,936	20.58	38.19 133,698	21.58
East Bridgewater Associates	19.26 67,410	18.27	19.75 69,125	18.68	26,566- +item 11 = 327,670	1,3,5,7,&9
Browning-Ferris Associates	39.94 139.805	22.61	41.79 146,279	23.66	None	670,218

8:15 p.m. Board of Selectmen authorized the Highway Superintendent John W. Boland to pass along the plan to Metropolitan District Commission requesting its approval of the drainage plan for Meadow Lane.

8:22 p.m. Mr. R.F. LAWRENCE of BFI Inc. requested clarification of the following problems and omissions with East Bridgewater Associates bids. First - the year and model number of the tractor were not provided as required in the specs. Second - the resource recovery by incineration was questioned by Mr. Lawrence. Third - certificate of disposal area was not provided with the bid as per specs. These questions were taken under advisement by the Board of Selectmen and referred to the Town Counsel and Highway Superintendent Boland. They went to the Administrative Assistant's office to review the bids.

8:30 p.m. Bid opening for the gasoline contract. No bid was received from Chevron Oil Company, the current provider for the Town. A letter from Gulf Oil

incidated that they would not bid at this time but requested to be on the bidding list.
 Bids received were from:

#1 Marlco, Inc., 279 Maple Street, Marlborough, MA

Regular Gasoline	55.75¢ per gallon
Unleaded Gasoline	57.75¢ per gallon
Diesel Fuel	42.90¢ per gallon delivered

#2 Falconi Brother, 29 Boston Road, Southborough MA

Diesel Fuel	.3838 delivered
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These bids were taken under advisement pending the Administrative Assistant's and Highway Superintendent's review of the bids.

Plan

9:07 p.m. The Board of Selectmen held a Site/Hearing with DATA GENERAL CORP. to and Lawrence Kimball of the Planning Board for the conversion of existing 9:12 p.m. office/manufacturing buildings to manufacturing use at Data General's facility in the Southborough Industrial Park, Turnpike Road. Present for Data General Corporation was Attorney Robert Capobianco, Michael Murphy and Dennis Coco, Project Manager for this conversion project. Selectman O'Connell requested information as concerns the number of people. Attorney Capobianco indicated that it will not be an increase over the number of people who are at the plant prior to the move to Westborough. However, it will be an increase over the number of people who are left there now. Therefore, it would not increase the parking, sewerage or other related facilities. Mr. Kimball indicated that the Planning Board did not have an opportunity to review these in advance but that they would be meeting on June 22 to review this and other site plans. Mr. Coco indicated that the project was going to bid in early July. Therefore, June 22 review date would not affect it appreciably. He indicated that they could furnish further plans or documents if necessary. The Board of Selectmen approved the site plan subject to the Planning Board's approval.

The Board of Selectmen at this time reviewed with the Town Counsel problems as concern the Fiddler's Green Subdivision and the Industrial Park, upon motion by Selectman O'Connell, instructed Town Counsel Busconi to commence suit for the redemption of the bonds of Cosmo J. Caterino Construction Company for Fiddler's Green Subdivision and Industrial Park (corner of Rt. 495 & Rt. 9). Motion was seconded by Chairman Bartolini. It was a unanimous voice vote of the Board of Selectmen.

At this time the Board of Selectmen clarified vote of the previous meeting, June 7: to appoint Jennifer Bishop, Acting Temporary Collector; Stanley D. Tanenholtz, Temporary Treasurer; and Edward J. Maguire, Temporary Collector through July 10, 1977, upon motion made by Selectman Paul O'Connell, seconded by Selectman Bartolini and voted by a unanimous voice vote.

9:30 p.m. Planning Board member Patricia Capone arrived.

9:37 p.m. Board of Selectmen reviewed a site plan for construction of a dormitory to building at F&A SCHOOL, Main Street. Individuals present were: Headmaster

9:57 p.m. A. Brooks Harlow, Jr.; Superintendent of Buildings and Grounds, James A. McCaw; Business Manager Thomas O'Hara; Architect, Phil Minervino,

Architect. The presentation given by Mr. Harlow indicated that there would be eight one-bedroom apartments, two two-bedroom apartments and dormitory facilities for 80 students. No additional parking was provided. There will be 8,000 square feet per floor (three floors). This project is smaller than originally anticipated and previously brought before the Board about six months ago. Financial problems forced the reduction of this necessary project. All utilities would be buried and it would tie into the existing septic system which was updated last year under the approval of the Board of Health. There would be no increase in the boarding population. This would mainly be a creation of new dormitory space to offset dormitory facilities which would be closed down in the main building and converted to other uses. The overall height of the building would be under 32 feet meeting the By-Law. Lighting would be perimeter lighting similar to the Reinke Building. Mr. Kimball of the Planning Board reviewed the plan and again referred to the Planning Board meeting of the 22nd, indicating that the Planning Board did not have time to review this plan as Data General's prior to this meeting and requested their indulgence in allowing the Planning Board another week to review the plan. The representatives of Fay School indicated that they had not anticipated starting construction until August or September and that another week or two would not significantly delay their timetable. The Board of Selectmen decided to hold approval of this site plan until its meeting of June 28, 1977 pending review by the Planning Board.

At this time Mr. Harlow requested information concerning traffic signal or flashing zone signal on Route 30 to slow down traffic in the vicinity of Fay School. The Selectmen indicated that their Administrative Assistant, Highway Superintendent and Police Chief would look into this problem and that it was not necessary to send further written requests requesting this project.

10:00 p.m. The Board of Selectmen met with PAULA DRAPER from the Southborough to Community Youth Center, Inc. (Drop-in Center) and Town Counsel Busconi
10:27 p.m. as concerns the funding for the youth center. Mrs. Draper was informed by the Town Counsel that Chapter 40, Section 5 and Section 63 as concerns Youth Commissions and Chapter 40, Section 8E as concerns Youth Commissions brings to light a serious problem in that the Town has never accepted Section 8E, Chapter 40. Therefore, the funds appropriated for the Southborough Youth Community Center drop-in center cannot be spent without some sort of Town Meeting approval of Section 8E. Chairman Bartolini asked if the Selectmen could declare an emergency to spend the money. Town Counsel Busconi felt they could not. Selectman O'Connell asked if the Commission must be created and the vehicle would be paved to spend the money. Town Counsel replied in the affirmative. Selectman O'Connell asked if a Transfer from the Reserve Fund would be possible. Chairman Bartolini said no. There was no one to transfer the money to. There was no existing vehicle. Mrs. Draper said if nothing was set up, it was her understanding that in situations like this, the Selectmen could take over. Town Counsel Busconi indicated that that was tried in a test case before the Supreme Judicial Court eight or nine years ago unsuccessfully. He feels that the General Law are very specific and that you must accept that General Law prior to spending any money. Mrs. Draper indicated that Hudson and Framingham already do this and asked that the Selectmen look into the possibility of using the same vehicle as used in Hudson, Northborough, Marlborough and other area Towns. Town Counsel indicated he would look into this and check with the Bureau of Accounts to determine whether or not they agreed. Chairman Bartolini asked if there was any chance that the Drop-In Center could raise money to survive through the summer, use State grants or use other funding sources until a Special Town Meeting could be held in the Fall. Mrs. Draper indicated that she doubts that this could be done but at the same time she hates

to put the Town through that kind of expense. Selectmen instructed the Town Counsel and Administrative Assistant to check back into the Town records as far as 1969 to determine whether or not this had ever been accepted. Town Counsel had looked into the possibility of the Recreation Commission picking up this responsibility. He felt that Section 8E is too specific. Selectman O'Connell indicated that the concept is quite controversial, that the Board definitely wants to keep an eye on it and would recommend that the Drop-In Center do its best to secure as much private funding as possible. He asked for a clarification of their private funding sources. Mrs. Draper indicated that they have a budget of approximately \$13,000.00 -- about \$3,445.00 from the State -- contracted services for hiring a director -- about \$3,000.00 in private donations from January 1 through June 14 of this year and that proposals are currently before various corporations, ecumenical groups, private charities and individuals. Selectman O'Connell asked whether or not the Board of Directors anticipate returning to the Town Meeting each year for regular funding or whether this was a one-time appropriation to get them on their feet. Mrs. Draper was unable to answer that question. Donna McDaniel of the South Middlesex News asked of Mrs. Draper what the loss of the \$5,000 would do to the operation. She could not answer that question. It was a decision of the Board of Directors. However, she said that it would obviously require at least the scaling down of the project. Selectman O'Connell asked whether or not they could get through the summer using the State money up until a Special Town Meeting in the Fall. Mrs. Draper indicated that she could not. State money was for one purpose - Executive Director - and it was drawn down in periodic appropriations, not in one lump sum.

10:27 p.m. Town Counsel and Highway Superintendent and Administrative Assistant met with the Selectmen concerning the solid waste hauling contract.

They recommended that the contract be awarded to the low bidder - East Bridgewater Associates. Regarding Mr. Lawrence's first question, that information should be supplied prior to the signing of the contract, but is not required prior to the awarding of the bid as per specifications. The second question as concerns incineration was not understood. (Mr. Lawrence's handwritten questions were not phrased in the form of a question Mr. Boland indicated that he personally knew that East Bridgewater did have the shred facility at hand and incineration facility, but did not understand the nature of this question.) The third question, concerning the filing of a document approved by the State was again required prior to the contract and not required prior to the awarding of the bid. Therefore, the Board was requested to award the bid to East Bridgewater Associates. It was moved by Selectman O'Connell that the solid waste hauling contract be awarded to East Bridgewater Associates - trash hauling from the Transfer Station to a disposal site on the condition that certificate from the State be furnished and that the vehicle and equipment be described as per specifications. Motion was seconded by Chairman Bartolini and it was a ~~unanimous voice vote~~ of the Board of Selectmen.

On another matter, the Highway Superintendent requested that the Board of Selectmen release the previous contractor for the pouring of the Town Hall basement since he is unable to or unwilling to perform this task. Mr. Boland has contacted four companies for this project and received two quotes -- one of \$2,650.00 -- one of \$1,985.00. He requested that the bid for \$1,985.00 be awarded to M & M Construction Co., Hudson, MA. It was so moved by Selectman O'Connell, seconded by Chairman Bartolini and it was a unanimous voice vote of the Board of Selectmen. The only condition placed upon this award was that this work be completed by June 24, 1977.

STATE AGENCIES

- Letter is to go to State Department of Public Works, Mr. Robert Tierney, Chief Engineer, with applications for a Traffic Counter and Pavement Striper under the Governor's Highway Safety Program. Included are copies of Southborough's total Highway Safety Program for each application. Same letter with enclosures is to go to Mr. V. J. Cantone, Traffic Engineer of the State Department of Public Works.
- June 9, 1977 letter from State Department of Corporation and Taxation, Harold Regan, Jr., Chief Municipal Examiner acknowledging receipt of Selectmen's letter of May 31st in which the Town requested an audit of the Treasurer's and Collector's accounts and that this audit run from October 31, 1975 to termination date of the current Treasurer and Collector. An audit will be made as soon as the State's schedule will allow. Copy of this letter is to go to Stanley Tanenholtz, Elaine M. Hinckley and Edward Maguire.

Selectmen unanimously voted that a letter is to go to James J. Matera, Director, Water Division, MDC, Boston, desiring to open negotiations regarding bicycle paths on MDC property. Three proposed locations are stated in this letter for the consideration of the MDC. CETA funds have been secured for these labor-intensive projects, as well as funds by the Town for such capital costs as gravel, sand, crushed stone, etc. Copy of this letter is to go to Highway Superintendent Boland, MacCarthy & Sullivan Engineering, Inc. and Peter Kallander of Meadow Lane.

TOWN DEPARTMENT

The Selectmen at this time, on the recommendation of the Highway Superintendent and Administrative Assistant Lundblad voted to award to Falconi Brothers, Inc., 29 Boston Road, Southborough, MA the contract for the Town's diesel fuel for fiscal year 1978 at a price of .3838 dollars per gallon.

Selectmen signed four copies of Change Order 1 in the amount of \$13,216.10, additional - new Fire Station Contract. The Selectmen explained that this was for removing the ledge at the new site.

APPOINTMENTS/RESIGNATIONS

Motion was made by Selectman O'Connell, seconded by Chairman Bartolini and it was unanimously (by voice vote) voted to appoint the following to the Council on Aging for one year terms:

Arthur Taylor, Jr., 22 Break Neck Hill Rd.
 Ellen A. Boland, 37 E. Main St
 Edith G. Sinclair, 49 Boston Rd.
 Catherine E. Gralton, 41 E. Main St.
 Eleanora F. Burke, 36 E. Main St.
 Judith Badavas, 19 Rock Point Road
 Reverend Philip Santonoceto, 20 Boston Rd.

Letter from Margit Donath to Town Clerk Paul Berry resigning from the Capital Budget Planning Committee effective May 10, 1977.

COMPLAINTS

Memo is to go to Highway Superintendent Boland asking him to contact the MDC to

determine whether or not some sort of a joint program could be instituted to police the area of Middle Road near the Horseshoe Dam - perhaps trash barrels could be placed there. A complaint was received by Dr. Marilyn Meserve regarding the messy condition in this area. Letter is to go to Dr. Meserve regarding the resolving of this problem.

TOWN BOARDS

Letter is to go to Conservation Commission informing them that the possibility of a conservation restriction or conservation easement for property owned by Cumberland Farms off Lovers Lane has fallen through.

VOTED: to let the Southborough Recreation Commission use the washroom facilities at Fayville Village Hall for children attending playground at Fayville Field during the period of July 11 - August 5 from 9:00 a.m. to 3:00 p.m.

Letter is to go to C. E. Williams Ins. Agency regarding insurance coverages for the renovation of the Town Hall regarding insurance for fire, extended coverage, vandalism and malicious mischief insurance covering the interests of the Town, the General Contractor and his subcontractors and sub-subcontractors. Replacement value approved by the Building Inspector for the Town Hall was \$808,000. Insurance should cover that amount plus \$266,213 construction contract for a total of \$1,074,213. A Certificate of Insurance should be filed with Francis Harvey & Sons, Inc., 141 Dewey St., Worcester as required by the contract. - THUG

Board noted June 8th letter from Advisory Committee informing the Board that the Advisory Committee will be contacting all the department managers over the course of the entire year in order to improve understanding of the operations of the Town departments. Sherman Ball will be responsible for Police and Fire Departments and George McClelland to be responsible for the Highway Department.

June 13th letter from Conservation Commission to Leo Pessini, Jr., 5 Ward Road, regarding his desire to purchase the Gaffney land which was given to the Town for conservation land.

June 13th letter from Conservation Commission to Robert Hansel, Headmaster of St. Mark's School, asking if some of St. Mark's land might be for sale in the coming year.

June 14th letter from Robert E. Hoss of the Special Committee, Chapter 138 - Unsafe Buildings, reporting his inspections as to hazards to the public safety on the following properties: 172 Southville Road, 247 Parkerville Road and Park Street Coal Sheds.

LICENSES

Permission was given to the Lions Club to hang a banner across Route 85 adjacent to the Southborough Library to advertise and promote the 250th Anniversary Ball, Town of Southborough,

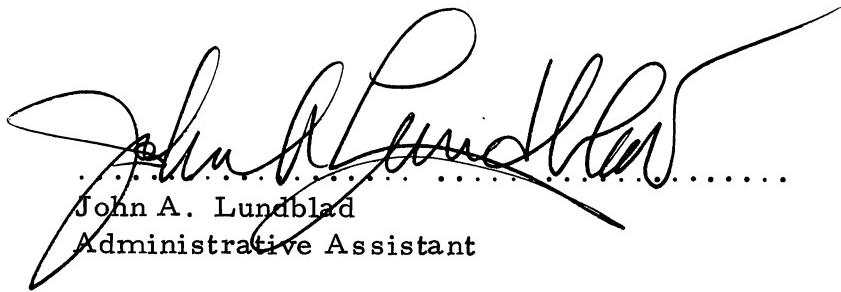
FEDERAL FUNDING

June 9th letter from Congressman Joseph D. Early informing the Board that regarding Round II of the Local Public Works Program no planning target has been established for the Town of Southborough and that Southborough's eligibility for Round II funding was not certified by EDA in the announcement of the planning targets.

The following Treasury Warrants were signed by the Board of Selectmen:

#111 in the amount of \$112,467.34
#112 " " " 16,130.77
16 " " " 196.50 Revenue Sharing

11:04 p.m. VOTED: unanimously (by voice vote) to adjourn the meeting.



John A. Lundblad
Administrative Assistant

jal/j

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Wednesday, June 15, 1977

This meeting was called especially to interview applicants for the position of Police Dispatcher.

Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe and Paul R. O'Connell, Jr.

7:30 p.m. Board interviewed William E. Hynes, 104 Old Sudbury Rd., Wayland

7:45 p.m. " " John Vanderhoof, Jr., 209 Southville Rd., Southb.

8:00 p.m. " " Veronica Cross, 204 Southville Rd., Southborough

8:15 p.m. " " Miriam H. Carpenter, 7 Granuaile Rd., Southb.

8:30 p.m. " " Thomas J. Boland, 35 East Main St., Southborough

TOWN DEPARTMENTS

Selectmen VOTED to reject all gasoline bids, regular and unleaded, and to set the new bid opening for 6/28/77 at 9:00 p.m.

Letter to Marlco, Inc. of Marlborough, informing them of the Board's vote and new date of bid opening. Copy of the legal ad and new specifications are to be enclosed. Marlco is to be informed that Falconi Brothers Company of Southborough was awarded the diesel fuel contract.

STATE AGENCY

Selectmen signed a letter, which is to be hand-carried, to His Excellency, The Governor of the Commonwealth of Massachusetts, Michael S. Dukakis requesting his intervention in a problem which the Selectmen believe is receiving less than fair attention by the Department of Public Works regarding the request for traffic lights on Route 9 near Data General Co.

9:30 p.m. VOTED: to adjourn.



.....
Louis J. Bartolini, Chairman
Board of Selectmen

/j

MINUTES OF MEETING
BOARD OF SELECTMEN

June 28, 1977

7:30 pm. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad, members of the press- Lee O'Neil (South Middlesex News) and Maureen Maguire (Worcester Telegram & Gazette), and one interested citizen Lois Simmons of Cordaville Road.

7:45 pm. to Selectmen met with the Advisory Committee. Members present: Chairman
8:25 pm. George McClelland, members William Pires, Philip Jenks, Edward Chaput
Jeanne Duggan, and Sherman Ball.

First issue discussed was the legal budget and the proposed overrun submitted by Administrative Assistant John Lundblad in a request for transfer. Mr. McClelland requested backup information-specifically, billed hours, but not necessarily the projected use for the coming month. Selectmen furnished Chairman McClelland with copies of the billed hours.

8:00 pm. Cynthia Graves of the Marlboro Enterprise arrived. Mrs. Keller and Miss Lanza arrived.

Selectmen opened bids for mowing and raking. Chairman Bartolini read aloud the legal ad which appeared in the Worcester Telegram of June 14, 1977. The only bidder, Charles E. Gaffney, Landscape Gardener, 211 Middle road, Southborough, Ma. bid one year \$11,679.16 - 3 years \$35,831.02. Sel. O'Connell made a motion, seconded by Chairman Bartolini, and it was unan. voted to take above bid under advisement.

8:05 pm. The Selectmen then reconvened the meeting with the Advisory Committee. The second issue discussed was the the Open Meeting Law. Chairman McClelland asked if the Town Counsel would furnish them an opinion on whether or not Minutes have to be kept for the Advisory Committee and how long must they be maintained if in fact they do have to be maintained.

Third issue discussed was the new budget schedule. Chairman McClelland furnished the Selectmen with copies of the new budget review schedule. He informed the Selectmen that the revision was necessitated by the change in the Town Meeting time from May to April. Selectman O'Connell suggested that the Board send out a letter to dept. heads, committee members and persons responsible for budgets supporting this revision of the budget schedule and requiring all departments under the Selectmen's office to comply fully. It was agreed by the Selectmen to send out this letter.

Fourth issue discussed was a request by Advisory Committee member William Pires that he be allowed to meet with Mrs. Hinckley regarding the budget reporting system and that Mr. McClelland would also like to meet with her regarding the development of the general ledger. The Selectmen had no objection.

Fifth issue was raised by Chairman McClelland, again regarding Mrs. Hinckley-lauding her work in setting up the encumbance accounting system and the purchase order system.

8:30 pm.
to The Selectmen held a site plan hearing on the application of George
8:50 pm. Flynn who proposed the conversion of a mixed-use retail building at
37 Turnpike Road into doctors' offices. Also present at this meeting
was Lawrence Kimball, Patricia Capone of the Planning Board. Mr.
Flynn presented the site plan to the Selectmen and had in his possession a

8:30 pm.

to copy of a lease between himself and Robert L. Gordon, M.D., General Practitioner who would be utilizing this suite of offices with cont. three or four employees. Mr. Flynn felt that 15 or 16 parking spaces would be adequate for this office although the lot could carry 35 to 40 if needed. In addition to the Plan as submitted, he requested an additional entrance sign be placed on the southeast corner of the lot directing people to the first driveway. Mr. Kimball informed the Board that the Planning Board had reviewed this plan at their meeting of Wednesday previous. They found that there was no information regarding usage therefore they could not calculate the parking space requirements. In addition, they did not spell the location of abutting structures and therefore they found it difficult to make a final decision on the plan. Mr. Kimball then asked Mr. Flynn whether or not this would be an abortion clinic. Mr. Flynn stated categorically- "No way. How could you ask a man with eight children a question like that!" After additional discussion about various matters, Sel. McAuliffe made a Motion that there are four conditions as follows and that these conditions be met as soon as possible with a revised plan: (1) that the curb cuts be clearly located on the plan, (2) that the entrance sign at the southeast corner be shown on the plan, (3) that the location of abutting buildings be scaled out in distance but not necessarily placed on the plan according to scale, at least to the minimum of eight, as is required by the By-Law, and (4) that the parking spaces be lined on the plan to scale measuring 10' x 20'.

The Board of Selectmen, therefore, VOTED unanimously to approve the site plan with the above noted conditions. (Motion made by Sel. McAuliffe, seconded by Chairman Bartolini.)

8:52 pm.

to Board of Selectmen met with Planning Board members: Lawrence Kimball and Patricia Capone and discussed the following issues: (1) The Fantoni Subdivision-Southborough Farms-The Zoning Permit Application was held by the Planning Board because of a turnaround which was not in existence on the subdivision. (2) Another zoning permit application was held because of a common driveway existed between two lots. It was recommended by the Planning Board that the Town Counsel and the Administrative Assistant contact Mr. Fantoni to determine whether or not easements could be given and taken prior to approval of these lots. The Selectmen felt that they could sign off given a proposed easement since it is in fact difficult for Mr. Fantoni to give himself easement and he would have to transmit the property through straws in order to carry this out. It was felt that the permits could be made conditional upon this easement. However, Administrative Assistant Lundblad and Town Counsel Busconi will check with Mr. Fantoni to try to expedite this matter. (3) Drainage from the Southborough Farms Subdivision (Fairview Drive) to Parkerville Road. Mr. Kimball noted that it goes northerly about 70 or 80 feet to "an existing culvert." It dumps easterly to the B & M tracks and then goes across country to the antique shop across the road to McCarthy Pools to the Reservoir. A new land owner, is very concerned about the drainage from the expanded Fairview subdivision. Although the Planning Board has no jurisdiction outside of the actual subdivision itself, he wanted to bring to the Selectmen's attention the possibility that this matter might arise in the future as it has with other subdivisions - most notably the problems developed from Strawberry Hill and Grasslands Subdivision.

9:00 pm.

to Selectmen opened gasoline bids. Selectman Bartolini read the legal
9:05 pm. ad as it appeared in the Worcester Telegram on June 20, 1977.

The first envelope opened was from Gulf Oil Company- U. S. of Providence, R. I. They were not able to bid but thanked the Selectmen for keeping them on the bid list.

The second envelope opened was a bid dated June 23, 1977 from Chevron U.S.A., 17 Norman Drive, Framingham, Ma, as follows:

Regular gasoline	.503
Unleaded	.523
Premium	.548

Selectman O'Connell made a motion that the bid be taken under advisement pending the arrival of the Highway Supt. to review this with the Administrative Assistant. Motion was seconded by Selectman McAuliffe and it was a unanimous VOTE of the Board of Selectmen.

9:22 pm.

to Selectmen met with Town Hall Users Group. Members present: Chairman Paul E. Brefka, Highway Supt. John Boland, Advisory Committee member William Pires, Building Inspector Phaneuf, George Pearse and Clerk Jean Bigelow. Chairman Brefka recommended that the low bidder for the exterior work National Service Cleaning of Brockton, Ma. be awarded the contract for the exterior work at the Town Hall.. \$5,697.50. They have demonstrated on the building to the satisfaction of the Building Inspector. They are a division of a major cleaning concern and therefore should not have cash flow problems. However, they would not want him to start until the building has been opened and closed and all the work has been done by the General Contractor which would deal with the exterior work. Selectman McAuliffe asked if the pointing contract could be accepted since National Cleaning Service did not originally bid it and submitted an Addendum to their bid after bids were in fact opened. At this time, Selectman McAuliffe, Town Counsel Busconi and Paul Brefka went into conference to resolve this matter.

9:30 pm.

to The Selectmen held bid openings for the road materials. Highway 10:05 pm. Supt. John Boland opened the bids. A copy of the summary of bids is attached to these Minutes. A motion was made by Selectman O'Connell, seconded by Sel. McAuliffe and unanimous voice VOTE of the Board of Selectmen voted to take these bids under advisement.

10:05 pm. Highway Supt. Boland recommended that the only bidder for the Town gasoline contract be awarded the contract for the upcoming year.

Selectman McAuliffe made a Motion that Chevron Oil Company - U.S.A., be awarded the contract for the Town's gasoline fuels for the upcoming fiscal year. Selectman O'Connell seconded the motion. It was a unanimous voice VOTE of the Board of Selectmen.

10:06 pm.

to The Selectmen then resumed the meeting of the Town Hall Users 10:30 pm. Group. On the recommendation of THUG Chairman Brefka, the Board of Selectmen appointed Edgar Phaneuf, Jr. Construction Manager for the Town Hall renovation project. Selectman McAuliffe made this motion which was seconded by Selectman O'Connell and was a unanimous voice VOTE by the Board of Selectmen.

At this time the Selectmen signed the contract between the Town and the Construction Manager, Edgar A. Phaneuf, Jr. for the Town Hall Renovation as well as the contract between the Town and Francis Harvey & Sons, Inc., General Contractor for the Town.

10:06 pm.

to

10:30 pm. At this time it was announced that the exterior work contract
cont. would be referred to Town Counsel for further study.

10:30 pm.

to The Selectmen signed the contract for the Refuse Disposal agree-
10:40 pm. ment between East Bridgewater Associates and the Town of South-
borough. Mr. Boland indicated that the Performances Bond and the
Labor and Materials bond are not attached to the contract but he
is assured that they are awaiting the signing of this contract and will be
available immediately upon signature. Chairman Bartolini indicated that this
is normal procedure for a lot of large corporations. The Selectmen signed the
contract pending arrival of the bonds. A letter is to go to the only other
bidder, Browning-Ferris Industries, Resource Recovery Division, informing
them that the solid waste hauling contract was awarded to East Bridgewater
Associates and enclosing their original bid bond and power of attorney
which accompanied their proposal. Copy of this letter is to go to Highway
Supt. John Boland.

10:40 pm.

to Upon the recommendation of Highway Supt., Administrative Assistant,
10:50 pm. and Town Counsel Busconi- Sel. McAuliffe moved that the alterna-
tive bid for a three year contract as proposed by Charles E. Gaff-
ney, Landscape Gardner, 211 Middle Road, Southborough. This motion
was seconded by Sel. O'Connell and VOTED unanimously to award to Charles E.
Gaffney, Landscape Gardner, 211 Middle Road, Southborough the three year
contract for the mowing and raking of town grounds as specified in Mr. Gaff-
ney's bid document dated June 28, 1977 for the grand total of \$35,831.02.
Letter is to go to Joseph Madison, Chairman of the Recreation Commission,
enclosing a copy of Mr. Gaffney's bid and a copy of the Selectmen's letter
of award. Vouchers will be submitted to the Selectmen's Office and paid
out of the Buildings and Grounds account.

10:50 pm. The Town Counsel then reported on the correspondence from Cynthia
Graves and various officials of the Marlboro Enterprise as con-
cerns the lack of cooperation of the Southborough Board of Health
in the opening of certain files for review. Town Counsel reported that this
was amicably worked out- apparently merely a misunderstanding.

ZONING

The Chairman read a letter from James Murphy and more than fifteen resi-
dents of the Fiddler's Green Subdivision regarding the condition of cer-
tain roads in the subdivision. The Selectmen instructed the Town Counsel
to take immediate action to recoup the \$10,000 bond outstanding for this
road work, and further requested Admin. Assistant Lundblad to schedule a
meeting at the next regularly scheduled Selectmen's meeting between the
Planning Board, Town Counsel Busconi and the Selectmen to discuss this mat-
ter. Sel. McAuliffe stated his concerns in that this problem has been allowed
to fester for too long and to bring them in at the July 19 meeting would
serve no purpose except to further increase the frustration they felt. He
felt that we should rather give the Town Counsel one week to find a solu-
tion. If none is forthcoming, file suit. It was so decided by the Board
of Selectmen.

Letter to P.G. Mauch, 46 Framingham Rd., answering his letter of June 27 con-
cerning the conversion of his kindergarden school room to living quarters
for his wife's parents. The Selectmen feel it is unnecessary to apply for
any zoning or site plan permits but if structural changes are planned, the
Building Inspector should be contacted.

APPOINTMENTS/RESIGNATIONS

The Selectmen considered Conservation Commission appointments. Sel. O'Connell stated that since Duncan Chapman has indicated he does not want to serve another term, he would recommend George Killam be appointed to the Conservation Commission in place of Duncan Chapman. Sel. O'Connell put this into motion, which was seconded by Sel. McAuliffe and it was a unanimous voice Vote to appoint George Killam, 61 Richards Road, Southborough, Ma. to a three year term on the Conservation Commission to fill the position formerly held by Duncan Chapman.

Mr. O'Connell then noted that since Bruce Ey is moving from Town and probably will leave within a month, it would be wise to allow him to continue working with the Conservation Commission during that period of time and allow the Selectmen to make the appointment in a month or so instead of making a short term appointment now replacing Mr. Ey or instead of appointing another person while he is still active in the Commission.

Selectmen considered the Dispatcher appointment. First, Selectman McAuliffe moved Thomas J. Boland, 35 East Main St., Southborough, Ma. be appointed as Civilian Dispatcher for the Southborough Police Department, this position having been vacated by the removal of Richard W. Long. Selectman O'Connell then said his first choice was Mrs. Carpenter. Chairman Bartolini said his first choice was Mr. Hynes, the person who had worked for the Town for a year and had demonstrated his ability in working for the Town in various administrative functions. Selectman O'Connell then stated we had a one to one vote and that his second choice would be Thomas J. Boland or Veronica Cross. Sel. McAuliffe again moved Thomas J. Boland as Civilian Dispatcher. This motion was seconded by Sel. O'Connell. It was a two to one vote, Sel. Bartolini voting against the appointment. Sel. O'Connell then noted that Mr. Boland is an employee and he is not going to be a cooperative student hired through Northeastern, but rather a full time employee of the Town who happens to go to Northeastern University at the same time. Sel. McAuliffe amended the original appointment to make it effective immediately, the hiring to begin at the discretion of the Chief of Police.

Board noted June 14 letter from Moderator Charles Swartwood in which he appointed the following to the Recreation Commission:

Joseph J. Madison, 22 Maplecrest Dr.
Robert C. Nickerson, 8 Redgate Lane

FEDERAL FUNDING

Letter to Marvin Siflinger, Acting Area Office Director, Housing and Urban Development, Boston, informing them that the Town of Southborough shall not file an application for a Section 8 Funding for the upcoming fiscal year but request to remain on the mailing list since there is significant interest in the Southborough Housing Authority to pursue this avenue of funding in the future.

Board noted May 27 letter from Carla B. Johnston, MAPC Executive Director, re project notification of intent for Parkerville Road Landfill site and surrounding areas improvements (MAPC #PN-77-132; received April 27, 1977). MAPC fully supports the Town's application for funding this project.

STATE AGENCIES

Letter to James J. Matera, Director, Water Division, MDC, Boston re the Board's approval of the final plans for the proposed drainage system for Meadow Lane as authorized by the 1975 Annual Town Meeting; and requesting final approval by the MDC of this plan so that the drainage system project may be undertaken as soon as possible. cc: MacCarthy & Sullivan Engineering, Inc., Peter Kallander of Meadow Lane and Highway Supt. John Boland.

Selectmen signed certification that \$558,742 will be incurred as the actual cost during the fiscal year for construction, maintenance, and policing of streets and roads in accordance with Chapter 81, Section 31, as amended by Section 14, Chapter 497 of the Acts of 1971. This certification is to be sent to State Department of Public Works, State Aid (Highways), John J. Lyons, District Highway Engineer, Worcester, Ma. Certified copies of the votes and appropriations as taken at the Annual Town Meeting are to be attached.

Board noted Department of Public Utilities notice of postpone hearing on the petition of Big W. Trans., Inc. for a Certificate of Public Convenience and Necessity-postpone hearing will be July 11, 1977 at 2 p.m. Town Counsel to be notified of this postponement.

Board noted June 21 letter from State Department of Public Health giving the results of initial inspections of Southborough Fire Department's Vehicle #32 (Ambulance). Fire Chief Brock is to respond in 30 days with a written plan of correction for the problems encountered.

Board noted June 23 letter from Robert Tierney, Chief Engineer for the State Department of Public Work, Boston, informing the Board that the DPW has received the Town's application for funding assistance through the Governor's Highway Safety Bureau. Applications for a pavement striping and traffic counter are in order and will be forwarded to the Bureau for final review and processing.

LICENSES

Selectman McAuliffe made a motion, seconded by Chairman Bartolini and unanimously VOTED that the Board approve the re-issuance of a License to store underground 8,000 gallons of diesel fuel and gasoline in the name of Hugh Nawn, Jr. Location of land where this fuel will be stored: 2 Southville Road, nearest cross street Woodbury Road. (This License was originally issued July 2, 1968 and subsequently misplaced.)

Selectman McAuliffe made a motion, seconded by Chairman Bartolini, and unanimously VOTED: to grant a Special one-day license to Mauro's Market, 4 Main Street, to sell wines and malt beverages in front of the store from 9 a.m. to 7 p.m. on July 3, 1977.

VOTED: to grant a Special one-day License to American Legion, Bagley-Fay Post 161, 28 Main Street, for the sale of wines and malt beverages for the 250th Parade, from the hours of 11 a.m. to 12 midnight July 3, 1977.

SITE PLAN

Board noted June 23 letter from the Planning Board stating that on Wednesday, June 22, the Planning Board approved Site Plans submitted by Data General and Fay School.

SITE PLAN cont.

Letter to Attorney Robert Capobianco giving him formal approval of the Data General Site Plan as submitted and reviewed by the Board of Selectmen on June 14, 1977 and informing him that the Planning Board on June 22 voted to approve the Site Plan as submitted for the conversion of mixed use industrial and office buildings to manufacturing use.

Letter to A. Brooks Harlow, Jr., Headmaster of Fay School formally approving the Fay School's site plan as submitted and reviewed by the Selectmen and the Planning Board and their meeting of June 14th and June 22nd. cc: Board of Assessors, Water Dept., Planning Board, Conservation Commission, Building Dept., and Highway Dept.

COMPLAINTS

A letter to W.F. Wiggin, V.P. Bay Bank/Newton-Waltham Trust Co. expressing the Board's appreciation of the prompt action taken by this bank as concerns the hazardous situation which existed on the bank's property at 15 River Street in April of this year. However, the situation at the mill dam is still unresolved and still requires reconstruction by the bank. If the pond is drained again, the Police Department should be notified and the debris from the pond should not be left on the site to tempt the area youths to rebuild the dam.

Letter to Richard J. and Janet M. Capello and others c/o 7 Gilmore Road stating that after reviewing the petition which they presented to the Board at the meeting of June 28, the Selectmen have instructed the Highway Supt. and the Police Chief to research this matter and meet with the area residents as soon as possible. A meeting is tentatively scheduled between the residents of Gilmore Road and the Board for Tuesday evening June 12, 1977 around 7:30 p.m.
cc: John Boland and Chief Mattioli.

TOWN DEPARTMENTS

Fire: Board instructed the Administrative Assistant to have a copy of the Emergency Medical Training report regarding Southborough Ambulance furnished to the Board of Selectmen for the next meeting.

Memo to Fire Chief Brock regarding the Southborough Permanent Firefighters Association enclosing a copy of a Notice to Parties to Representation Case No. MCR-2562.

Highway: Selectman O'Connell moved the Transfer Station Fees: that the exemption be allowed to continue while the Selectmen's staff investigate further alternatives for the five businesses who have been allowed to deposit trash without charge for the last year.

Letter to Mechanics Iron Foundry Co. of Roxbury, Ma enclosing its sealed bid for manhole frames and covers, catchbasin frames and grates. This bid was returned as it was received after the bids were opened on June 28 at 9:30 p.m. The envelope was received in the morning of June 29, 1977.

Letter to Highway Supt. John W. Boland advising him that the Selectmen extended for an indefinite period the hauling moratorium for the five businesses currently in force under the March 1976 vote of the Board of Selectmen for the previous fiscal years and requested that the Highway Supt. contact these industries as soon as possible to inform them of this vote.

Memo to Highway Supt. Boland regarding the request for \$800 to do the engineering work off Fisher Road. Mr. Boland is to look at the original taking and design of the county engineer's layout of Fisher Rd. to determine whether or not we can use that same data to abandon that portion of old road.

TOWN DEPARTMENT cont.

Highway-Police: Letters to Police Chief F. J. Mattioli and Highway Supt. John Boland informing them that the Headmaster of Fay School requested permission to have a flashing school zone sign erected on Route 30 to slow down traffic and requesting their investigation and recommendation regarding this request from Chief Mattioli and Mr. Boland.

Legal: The Board noted June 20 notice from the State Labor Relations Comm. regarding Case #MCR-2521 Town of Southborough and Southborough Public Works Employees Union stating that in Executive Session held by the Commission on May 25, 1977 it was voted to dismiss this case per letter of withdrawal. This case is officially closed at this time. Letter is to go to Henry J. Mulcahey, Jr. enclosing a copy of this vote to dismiss Case #MCR-2521. cc: Town Counsel Busconi.

Speed letter to Town Counsel Busconi informing him that the Selectmen's office has been notified that Paul Fantoni and his associates have rectified the situation with the dual driveway in the Bare Tract Subdivision (Southborough Farms Subdivision).

Board noted June 9 letter from Planning Board enclosing a photostat of a letter dated 5/18/77 from Town Counsel Busconi which confirms that private building lots abutting scenic roads are excluded from reviews or hearings under the Scenic Road By-Law.

TOWN BOARDS

The Chairman read John W. Boland's report on unsafe buildings in the south end of Town. A motion made by Chairman Bartolini, that action be taken against the owners of record in accordance with Chapter 138 of the General Laws of the Commonwealth of Mass., seconded by Sel. McAuliffe, was a unanimous voice vote to instruct the Administrative Assistant to work with the Building Inspector to issue these letters.

Indust. Dev. Commission: Board noted June 13, 1977 letter from New England Medical Laboratories, Inc. of Holliston re suitable existing buildings for sale that could be rehabilitated, or parcels of land that could be available for their own construction purposes. (Letter to New England Medical Laboratories, Inc., Peter Scaccia, President, enclosing a list of numerous potential sites for industrial development in the Town that are currently zoned for the type of usage they seek. However, none of the existing structures seem to provide the 25,000 sq. ft. needed but many of the locations have at least five acres currently available in one parcel or readily available by combining industrial parcels.) The assessors will contact them directly to answer the questions regarding taxation. cc: Board of Assessors, Advisory Committee, Industrial Development Commission and Planning Board.

THUG: Letter to Hughes & MacCarthy (Town Hall renovation architects) enclosing two copies of the Standard Form of Agreement between Owner and Contractor duly executed by the Board of Selectmen. The contracts contain the General Contractor's Certificate of Corporate Vote authorizing Edward T. Harvey to sign for the corporation, performance and payment bonds, General Contractor's insurance certificates and rider to the Town's insurance policy #MXP 257-96-17.

HCC: Letter to MDC, Boston, formally requesting permission to use the area near the Fayville Field, Central Street, for the setting off of the fireworks display on Wednesday, July 6 as part of the Town's 250th Anniversary Celebration. This area will be left in good condition and all safety precautions will be taken.

TOWN BOARDS cont.

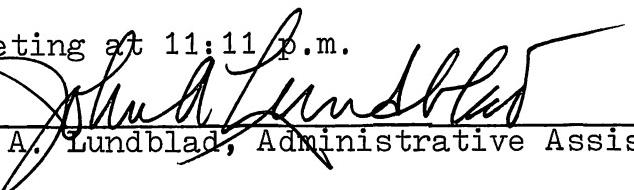
Letter to Historic Celebration Committee, Leo Bertronazzi, Chairman, re the request of the committee to plant a tree in the triangle in front of the Town Hall. This activity should be coordinated with the Highway Supt., Police Chief Mattioli and Paul Brefka of the Town Hall renovation committee to insure that no landscaping plans have already been undertaken for the parcel of land in question. The Selectmen have no objection with a small ornamental tree being planted at this location.

The Board of Selectmen signed the following Treasury Warrants:

- On June 21 TW #113 in the amount of \$326,724.15.
- On June 21 TW #114 in the amount of 3,171.50.
- On June 28 TW #115 in the amount of 21,730.49.
- On June 28 TW #116 in the amount of 80,673.52.
- On June 28 Revenue Sharing TW #17 in the amount of \$1,895.00.

VOTED: unanimously, to adjourn the meeting ~~at 11:11 p.m.~~

jal/gw


John A. Lundblad, Administrative Assistant

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Tuesday, July 12, 1977

7:15 pm. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad; five members of the Historic Celebration Committee, Sergeant William Harpster, Highway Supt. John W. Boland, Mrs. Ryan from Southborough, Kent, England and her son and daughter-in-law.

Mrs. Ryan presented a Proclamation beautifully inscribed and bound in a leather book to Chairman Bartolini. He in turn presented her with medallions from the 250th Anniversary Committee.

8:00 pm. Highway Supt. Boland, the Selectmen, Sgt. Harpster and John A. Lundblad adjourned to Gilmore Road to meet with area residents concerning traffic problems and other difficulties they have been experiencing in the recent months. The Board of Selectmen agreed to carry out a program to try to alleviate this problem by doing the following:

1. Removal of all brush along the side of the road to allow better visibility in some pedestrian areas.

2. To erect as many signs possible to reduce traffic and further limit fast driving.

3. To look into the feasibility of placing speed reducing mechanisms whether they be signs or devices in the road as per Department of Public Works Regulations.

4. Look into the feasibility of blocking off open areas on the land owned by Centennial Properties and posting said property "No Trespassing" to keep out the youths who are parking up there.

5. Further, the Administrative Assistant Lundblad would contact every home owner along the road to insure that the major work to be done in front of their homes would not be offensive to them even though it was in fact Town property. The Selectmen also indicated that they would discuss with the School Committee the possibility of a small bus coming down the roadway to eliminate the need of young children walking down the road after school and before school, and finally would have the Police Department increase patrol, surveillance, and/or radar as necessary at the discretion of the Chief or Sergeant in Charge.

9:45 pm. The Selectmen then returned to the Town Hall.

Upon the recommendations of Highway Supt. Boland, the Board of Selectmen unanimously VOTED the following contracts for road materials for FY 78:

<u>1. Material</u>	<u>At Plant</u>	<u>Delivered</u>
Bank Gravel	1.00/ton	2.10/ton
Crushed Bank Gravel	1.90/ton	2.90/ton
Washed Sand	1.75/ton	2.75/ton
1½" Crushed Stone	3.05/ton	4.05/ton
Pea Stone	3.05/ton	4.05/ton
60-40 Sand-Stone Mix	2.40/ton	3.15/ton
3/4" Stone	2.95/ton	3.95/ton

Above materials contract awarded to Pyne Sand & Stone Co., Inc. of Hopkinton, Ma. as per their bid June 23, 1977.

<u>2. Material</u>	<u>Price in Place</u>	<u>Location of Plant</u>
Bituminous Concrete Top	\$17.19/ton	Ashland, Ma.
Bituminous Concrete Binder	\$17.19/ton	Ashland, Ma.
<u>Equipment Rental</u>		
Placing Cold Mix Asphalt Pavement	\$ 4.35/ton	
Roller Rental	\$24.00/hour = Roller	
Roller Rental	\$40.00/move = Trailer Move	

Above material contract and Equipment Rental contract awarded to E. C. Murray Construction Co., Inc. of Framingham, Ma. as per bids dated 6/28/77.

<u>3. Material</u>	<u>Price in Place</u>	<u>At Plant</u>	<u>Loc. of Plant</u>
Bit. Cold Patch		\$14/ton	Spring St., Ashland, Ma.
Cutback Asphalt	\$.576/gal		Everett, Ma.
Asphalt Emulsion	\$.576/gal		Everett, Ma.

Above material contract was awarded to Trimount Bituminous Products Co. Everett, Ma. as per their bid dated June 27, 1977.

<u>4. Material</u>	<u>Price Delivered</u>	<u>Loc. of Plant</u>
Catch Basin Frame & Grate	\$ 97.00	180 Prescott St., Worc., Ma.
Manhole Frame & Cover	\$100.00	as above

Above material contract was awarded to Worcester Foundry Co., Worcester, Ma.

<u>5. Material</u>	<u>Price Delivered</u>
12" ACCM Pipe (coated & paved)	3.61/1.f.
15" ACCM Pipe (coated & paved)	4.32/1.f.
18" ACCM Pipe (coated & paved)	5.34/1.f.
24" ACCM Pipe (coated & paved)	7.02/1.f.
30" ACCM Pipe (coated & paved)	8.64/1.f.

Above material contract was awarded to Eastern Culvert Co., Inc., Leominster, Ma. as per their bid dated June 23, 1977.

6. Concrete pipe contract was awarded to Scituate Concrete Pipe Corp. of Scituate, Ma. as per their bid dated June 24, 1977.

7. Hydraulic Backhoe Rental contract was awarded to Eastern Excavating Co., Inc., Ashland, Ma. as per their bid received June 23, 1977:
 Backhoe : \$35.00/hour
 Trailer Move: \$35.00/move

Letters are to go to the other companies who bid listing the companies who received the contract awards.

10:15 pm. Upon motion made and seconded, it was unanimously VOTED to adjourn the meeting.



John A. Lundblad, Administrative Assistant

MINUTES OF MEETING
BOARD OF SELECTMEN

July 19, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., John Lundblad, Administrative Assistant, and members of the press.

8:25 p.m. Sel. McAuliffe made the following motion, seconded by Sel. O'Connell and unanimously VOTED: that the following people be appointed as Election Officers for Precincts I and II, Town of Southborough, effective September 1, 1977, as recommended by the Republican Committee:

Precinct I

Warden: Hamilton Armstrong

Deputy Warden: Helen Toomey

Clerk and Deputy Clerk: same as above

Inspectors: Ethel Armstrong, Judith Knorr, Marjorie Spurr

Deputy Inspectors: same as above

Tellers: Any of the above and/or the following:

Germaine St. Maurice	Sondra Rynning	Mary Quirk
Paula Martin	Helen Thibeault	Gladys Binder
Miriam Carpenter	Joan Wier	Lois McCarthy
Eleanor Watkins	Susan Dumont	Dorothy Carman
Alphonsina Torcoletti		

Precinct II

Warden: Walter F. White

Deputy Warden: Joseph Blake

Clerk and Deputy Clerk same as above

Inspectors: Gertrude Phaneuf, Gail Hoss, Helen Varney

Deputy Inspectors: same as above

Tellers: Any of the above and/or the following:

Carol Walsh	Madeline Garcia	Cynthia Tower
Freddie Zona	Judith Kallander	Caroline Stirling
Janice Norcross	Debra Hatch	Rae Kay
Mary White	Buelah Callahan	

8:27 p.m. Sel. O'Connell made the following Motion, seconded by Sel. McAuliffe and unanimously VOTED: that the following people be appointed to the Civil Defense Department as recommended by Fire Chief Edward F. Brock, Civil Defense Director:

Deputy Director: William Harpster

Communication Staff: Radio Officer - George A. LaBarre, Sr.

Radio Officer - Charles E. Wood

Technician - David A. Churbuck

Technician - James M. Powers

Chief Engineering Service: John W. Boland

Chief Fire Service: Edward F. Brock

Medical Officer: Dr. Timothy P. Stone

Transportation Officer: Michael Gulbankian

Chief Water Service: William G. Binder, Jr.

Chief Police Service: Francis J. Mattioli

Legal Officer: Frederick A. Busconi

Auxiliary Police: Thomas J. Boland

Richard Mattioli

Veronica Cross

Ronald Mattioli

Francis J. Fiorvanti

Margaret A. McCarthy

Michelle Lanza

Janice Norcross

Robert J. Laptewich

Steven V. Purcell

9:00 p.m. Selectmen held a pole hearing on the petition of New England Telephone and Mass. Electric Co. to locate
to one pole on Fairview Drive at a point which is approximately 177 feet westerly of Summit Road (plan marked NET&T Co., No. 963629G dated 6/16/77). Carl Whitney of NET was present and gave a brief presentation. No abutters spoke either in favor or against it. Sel. McAuliffe made a Motion to approve this petition. Sel. O'Connell seconded the motion and it was a unanimous voice VOTE.

9:10 p.m. Selectmen met with Paul Brefka, Chairman of Town Hall Users Group (THUG) and John Boland, Highway Supt. re
9:12 p.m. recommendation of THUG. Selectmen then AWARDED the contract for the Town Hall renovation exterior work to Marshall and Smith. The low bid had been thrown out due to the fact that it had been amended after the close of the bidding period. This award was subject to review by Town Counsel Busconi. Motion to award the contract was made by Sel. McAuliffe, seconded by Sel. O'Connell and was a unanimous voice vote.

9:15 p.m. Town Counsel Frederick A. Busconi met with the Board of Selectmen plus Planning Board: Chairman Paul Brefka, 10:45 pm. members L. Kimball, D. Dillman. Also present were Highway Supt. Boland, James Murphy and approximately six other residents of the Bantry Road area. Town Counsel Busconi gave a brief presentation concerning the bonds for Fairview Road, High Ridge Road, Industrial Park and Bantry Road. First - Town Counsel said that Maryland Casualty no longer places bonds in the Commonwealth. It has withdrawn from this market and because of this, is difficult to deal with. It has little or no interest in staying Massachusetts. Second - there are three distinct problems: the Fairview/High Ridge bond appears to be all right. It has been assumed by another construction company and as best as he could determine, this will go through an orderly transition with Maryland keeping the underwriting responsibility. Re Bantry Road, Town Counsel Busconi said that Cosmo Caterino and Maryland Casualty agree that the \$10,000 outstanding will come to the Town since the cost of fixing the road is far in excess of that amount. They also realize that the Town may take them to court and would be successful. In regard to the Industrial Park, the \$80,000 outstanding bond is thought to be far in excess of what needs to be done by Mr. Caterino and Maryland Casualty. They assume that the work is somewhere closer to \$14,300. Mr. Busconi thought that an agreement had been reached between Cosmo Caterino and Maryland Casualty which would (1) give the Town the \$10,000 within a week or two, (2) have the Planning Board review the Industrial Park bond and reduce it to a lower sum which could be or would be negotiated in the future. He hoped that this would be a quick reduction so we can get the \$10,000 and get to work on Bantry Road. Mr. Kimball asked why these two were being tied together. Mr. Busconi indicated that Maryland Casualty also wants to get some benefit of the three bonds being together, just as we want to benefit from it. Mr. Dillman wished to go on record saying that he was not looking for the Industrial Park money, that we have not gone after those bonds, that if we did, we would be looking for the entire \$80,000. The \$14,300 figure was a compromise so that we

could get enough money to do all of Bantry Road; the agreement was a quid pro quo and if Maryland Casualty is now trying to pull us into that, he feels we should sue. Mr. Kimball felt that the entire thing smacks of a deal. The \$10,000 for Bantry, plus the \$14,300 or \$24,300 agreed to earlier for releasing the \$90,000 was only so that we could get Bantry Road done quicker. Sel. O'Connell stated that we should go back to the \$50,000 total, not the \$24,000 total giving \$10,000 to Bantry Road and \$40,000 to the Industrial Park assuming that the Industrial Park needed about \$26,000 to be fixed up. Town Counsel Busconi was lauded for having done a good job in trying to pick up the pieces that were left hanging for years on end. Selectmen O'Connell indicated that Mr. Boland and Mr. Kimball should get together and work out some new figures for the Industrial Park, trying to justify that \$40,000 figure.

Chairman Bartolini asked of the Planning Board what the long-term liabilities would be on the ponding basins. Mr. Dillman indicated that he did not know, but that the specifications for the basins had been drawn up by Mr. Caterino, approved by the Planning Board and by Maryland Casualty. Town Counsel Busconi and Ch. Bartolini asked how much it would cost to get the project done. Mr. Dillman indicated that this study had been done many times, that numbers had been put together. Ch. Bartolini requested an update of those figures. Sel. O'Connell indicated that the cost would be over \$80,000 and recommended that we try to put together the maximum with a detailed listing so that we could eliminate certain things if it was necessary to bring the cost down. Sel. McAuliffe requested information on how we arrived at the figure \$14,000. Mr. Kimball indicated that Mr. Boland furnished the figure of \$26,000 for Bantry Road and that this was the compromise offered to Maryland Casualty. The \$14,000 figure, according to Mr. Dillman, was to clean up trees and pull out some of the fill and restore some of the riprap and to cut out a low flow channel. The Planning Board was satisfied with getting only \$30,000 out of the \$80,000 Industrial Park bond and all of the \$10,000 Bantry Road bond as quickly as possible at that time. However, to now go from \$90,000 to \$40,000 and only get \$10,000 for Bantry Road, was not a satisfactory offer to the Planning Board. Ch. Bartolini stated that if this is the bargain, getting \$40,000 for \$90,000, if the bonds can be reduced and the work can be done, let's do it and get going. Mr. Dillman indicated that this was the key question--whether or not it could be done, whether or not a low flow channel was needed and if so, what it would cost.

Sel. O'Connell asked a question of Town Counsel Busconi - whether or not Maryland Casualty would do the work on Bantry Rd. The answer was "no". Asked what they would do in regard to Bantry Rd., Town Counsel Busconi indicated that they would furnish \$10,000. Sel. O'Connell requested of the Town Counsel an opinion whether or not we could do the work prior to receiving the money. Town Counsel Busconi indicated that we certainly could, that it would not hurt our litigation or our right to go after the money. Sel. O'Connell then stated that since Maryland Casualty would not do the work, Maryland was only willing to give the face value, the \$10,000 bond, that we should seek a compromise. Mr. Kimball indicated that he would need more figures

from Mr. Boland (base cost on Bantry Road) just to bring it up to standard for plowing, and intermediate cost just to try and bring it up to reasonable standard top cost which would bring it up to the full subdivision control law standard. Sel. O'Connell felt that we should sue for the \$10,000, set up a Special Town Meeting in September, to get authorization from the Town to make necessary improvements, have the Highway Dept. do the job, determine how much money was necessary and appropriate that amount of money with hopes that some day we'll get the \$10,000 from Maryland Casualty. Sel. O'Connell indicated that three (3) questions need to be answered -- (1) by the Highway Supt. - to get exactly what it would cost to get Bantry Rd. and the crossover road in good enough shape to go through the winter and be plowable; (2) have the Town Counsel determine what would need to be done to do the work, both from an appropriation point of view and an authorization point of view; (3) - the Planning Board and the Board of Selectmen should look at the new figures and determine what compromises would be possible. Sel. McAuliffe wanted to know whether or not we would get the \$10,000 by reducing the other bond and what it would take to bring Maryland Casualty to a negotiating posture. If this is not possible or reasonable, he felt that we should immediately go to court and go to the Special Town Meeting for funding. Mr. Murphy indicated that the Town should do the job right, complete it to subdivision control law standards, not cut corners and not do it just to make it plowable. Sel. McAuliffe indicated that the Town Counsel needed the last best figures and that the Board of Selectmen could not authorize him to go into negotiations without this information. Therefore, the Planning Board should seek the information from Universal Engineering. Chairman of the Planning Board, Paul Brefka, asked whether or not the Planning Board could utilize the services of the Town Counsel to determine if there would be a way to avoid this in the future, perhaps by using covenants instead of bonds.

10:46 p.m. At this time the Selectmen VOTED the suspension of the all-alcoholic liquor license of The Limelight Corporation, located at 1 Southville Road, for seven (7) days, commencing at 12:01 a.m. on August 8, 1977, and terminating at 12:01 a.m. August 15, 1977. This vote was from a Motion made by Selectman McAuliffe, and seconded by Selectman O'Connell. It was a unanimous voice vote.

Selectmen signed Treasury Warrants #6 for \$52,619.55; TW 8 in the amount of \$6,633.47; and TW #7 for \$3,808.51.

ZONING

Board GRANTED the following Zoning By-Law Permits to Bare Tracts, Inc. (Southborough Farms Subdivision) to build single-family residences on:

16	Fairview Drive,	Lot	30	2	Fairview Rd. Ext.,	Lot	35
18	"	"	31	4	"	"	36
24	"	"	34	1	"	"	37
15	"	"	46				
17	"	"	47				
19	"	"	48				

ZONING (cont.)

Board GRANTED Zoning By-Law Permit to Kent J. and Deborah H. Carey to build a single-family residence on 180 Main St., Lot 18 and noted Zoning Board of Appeals Variance on 1/21/76 on this property.

Board noted ZBA Hearing is to be held on July 25 at 8 p.m. on petition of Dennis M. Doyle and Ceciline L. Howes, 11 Main St. and 10 Main St., respectively, for a variance to allow the conduct of administrative offices for general business at 10 Main St.

TOWN DEPARTMENTS

Letter to Town Accountant Elaine Hinckley informing her that the Selectmen shall not put to bid the service supplies for the photocopier at this time and instead shall submit a "request for proposal" to all certified Minolta franchise dealers in the area. It is hoped that when a mimeograph machine is installed that this will greatly reduce the money spent on photocopying paper, ink, etc. CC: Town Counsel Busconi.

Town Clerk. Letter to Henry Welch, Jr., Ch. Democratic Town Committee, requesting his list of poll workers for Precincts I and II as required by General Laws. Selectmen would like to appoint these workers at their 8/9/77 meeting before the statutory deadline of 8/15.

Legal. Memo to Town Counsel Busconi and Bldg. Insp. Phaneuf requesting a progress report from them re zoning violations at HMD Realty Trust property, 97 Woodland Road.

Memo to Highway Supt. Boland informing him that the information available on the reconstruction of Fisher Rd. should be adequate for the abandonment of this section.

Memo to Sergeant William Harpster, Deputy Civil Defense Director, enclosing a copy of a memo from New England Regional Commission (NERCOM) to recipients of Federal Excess Property.

Letter to C. E. Williams Insurance Agency, Inc., 14 Main St., informing him that the Selectmen have been charged in Worcester Superior Court (Civil Action No. 8665) by Richard W. Long for damages resulting from the Selectmen's decision not to reappoint Mr. Long, as well as immediate reinstatement and back pay. Damages could possibly be construed to be included in the Public Officials Liability Policy. Town Counsel Busconi will be answering these charges in a written brief to be filed in Worcester 7/22/77.

Memo to Highway Supt. Boland re Transfer Station solid waste hauling fees requesting an updated analysis of the solid waste volume for the past 12 months. Selectmen want an estimate of the revenue breakdown as well as the tonnage breakdown for each of the commercial haulers on an annualized basis - especially for Campbell Rubbish. The issue of rates for refuse hauling will be considered at Selectmen's 8/9 meeting.

APPOINTMENTS/RESIGNATIONS

Board signed a letter expressing its regret and disappointment that Jeanne Duggan had resigned from the Advisory Committee and applauded her efforts at that job.

Letter to Town Counsel Busconi enclosing copies of all applicants for the Auxiliary Police re the issue of Robin Pryor and the Police Auxiliary.

Letter to Arthur Taylor, Jr., 22 Break Neck Hill Rd., expressing the Board's regret upon learning of his decision not to accept reappointment to the Council on Aging.

TOWN BOARDS

Letter was signed by the Board of Selectmen to go to all department heads informing them that the Board of Selectman and the Advisory Committee have agreed to a tentative schedule for the upcoming fiscal year in that all budgets must be transmitted to the Advisory Committee by January 4, 1978. Selectmen will file all budgets they are responsible for on January 4, 1978 unless significant extenuating circumstances can be documented. Warrant Articles will also be submitted at approximately the same time with a submission deadline in the beginning of January.

Letter to Board of Assessors c/o Arthur Holmes, Ch., re their letter of July 12 as concerns the final resolution of the Assessors' Commitment Book, in that Mrs. Davis and Mrs. Garavente have decided to type the book and have it ready when the tax rate is approved by the Dept. of Corporations and Taxation within the next two weeks.

Board noted 6/21/77 letter from Conservation Commission to Board of Health stating that the Commission is interested in the condition existing at the Cordaville Mill Pond and Sudbury River area and the "raw sewerage" condition existing there, and would like the findings and planned action by the Board of Health.

Board noted June 30 letter from Advisory Committee listing the sub-committees formed by the Advisory Committee to work with various departments re budgetary process.

COMPLAINTS

Letter to Roger Maconi, Chairman of Southborough Republican Town Committee, re his letter of June 29 informing him that his list of poll workers were appointed in total at the July 19, 1977 meeting of the Selectmen. The Democratic Chairman has not sent his list of poll workers. A copy of other appointed Town Officials is to be enclosed with this letter.

LICENSES

Letter to be hand-delivered by the Police Dept. to Robert A. Queen, Manager, The Limelight Corp., 1 Southville Road, informing him that as a result of the decision by the Commonwealth of Massachusetts, Alcoholic Beverages Control Commission, copy enclosed, the Board of Selectmen suspends his license for a period of seven (7) days

LICENSES (cont.)

commencing at 12:01 a.m. on August 8, 1977 and terminating at 12:01 a.m. August 15, 1977. CC: Jacqueline Queen, Attorney Pacifico DeCapua, Town Counsel Busconi.

Board noted Decision from ABCC (received 7/19/77) from their hearing on June 30 upholding the action of the local Board. Board also noted Superior Court Recommendation re case of Limelight Corp. et al vs. Edward F. Harrington, et al (members of the ABCC) dismissing this case for the reason that the ABCC has no jurisdiction to review action taken by a local licensing authority and the defendants are entitled to prevail as a matter of law. Summary judgment is entered for the defendants.

Letter to Daniel Sprow, District Director for the Jerry Lewis Labor Day Telethon re his letter of June 30 and informed him that the Southborough Police Dept. will be notified that this fund raising activity may be undertaken in this town in the near future for the Muscular Dystrophy fund.

SITE PLANS

Board of Selectmen AUTHORIZED the storage by Tony DiNorcia, Hydroheat of New England, of a trailer at 245 Worcester Rd. for the purpose of construction work at this address. Prior to any construction, a Site Plan approval must be received from the Selectmen and Planning Bd.

Board noted 7/15 letter from Planning Board approving amended Site Plan as submitted by George Flynn (re his Turnpike Road property).

STATE AGENCIES

Letter to Edward Ginsburg, Assoc. Civil Engineer, MDC, Framingham, re his letter of July 13 formalizing his review of the drainage installation, Meadow Lane. Highway Supt. Boland is gathering the information needed for the permit or easement, as well as a plan showing the bearings, distances and areas of the Commission land involved. The distance shall be tied in and bearing with the previously existing easement already approved by the MDC for the road to Shaft #3 in the pumping station owned by the Town located at that site and the names of all adjoiners will be furnished with the plan. CC: Highway Supt. Boland and Town Counsel Busconi.

Letter to DPU requesting a copy of DPU Petition 19227 re the Grey Line, Inc. for amending its Certificate of Public Convenience and Necessity. CC: Town Counsel Busconi.

Letter to be hand-carried to Patricia Claire, Director of Ambulance Regulation Program, Boston, re her correspondence of July 20 re Fire Dept. Vehicle #32 (ambulance). The Board requests a 21 day extension for the review of both the deficiencies as well as the plan of correction by the Town. CC: Fire Chief Brock.

Letter to be hand-carried to Mass. Labor Relations Commission, Boston, enclosing detailed lists of the employees of the Town's Highway and Water Depts. CC: Town Counsel Busconi, Water Commissioner Ch. Arthur Hosmer and Highway Dept.

DPW.

STATE AGENCIES (cont.)

Board noted receipt of correspondence from Data General re their efforts to get traffic lights put on Rt. 9 near their company to alleviate a bad traffic situation at that intersection.

MDC.

Board noted July 1 letter from MDC Boston granting permission to the Town to use MDC land adjacent to Fayville Field, Central St., for the Town's 250th Anniversary July 6 fireworks display with three conditions listed.

FEDERAL FUNDING

HUD. Selectmen instructed Admin. Assistant to publish in the legal ad section of South Middlesex Daily News Completion of Performance Report re construction of the water pumping station.

Board noted July 12 letter from HUD informing the Board that they are convinced that they exercised correct judgment by not awarding points under the "threat to health or safety" criterion of the regulations governing this program. (Denial of Parkerville Road grant application.)

LEGAL

Memo to Town Counsel Busconi requesting him to work on the project - Melgrove Realty Trust, Lots 22 and 23 Mitchell Street - as soon as possible. Town Counsel Busconi should contact Attorney Cosgrove representing owner Mr. Vassalotti, as soon as possible to begin action on this problem. Attorney Cosgrove wrote on July 12 that a condition exists on this property whereby drainage pipes were installed by the Town without the assent or knowledge of the owners.

Board noted receipt from Appeals Court re Edmond Larose, Jr. et ali, Appellants v. Donald M. Campbell, Rose M. Campbell and the Inhabitants of the Town of Southboro, Appellees for an enlargement of time to file a petition for re-hearing and Motion to enlarge time to file an application for further appellate review.

Board noted Judgment of Dismissal from Superior Court re Data General vs. Selectmen.

COUNTY

Board noted June 10 letter from Town Treasurer Tanenholtz to all Town of Southborough members of the Worc. County Retirement System re eligibility for membership.

11:07 p.m. Sel. McAuliffe made the Motion to adjourn, seconded by Sel. O'Connell and unanimously VOTED.


John A. Lundblad, Admin. Assistant

jal/mp

Note: Board of Selectmen signed the following documents:

July 5 - Zoning Permit granted to Design Concepts, Inc. to build single family houses on: 29 Richards Rd. (Lot 3),

27 Richards Rd. (Lot 4), 235 Cordaville Rd. (Lot 6), and
233 Cordaville Rd. (Lot 7).

July 12 Zoning Permits granted to Design Concepts, Inc. to build single family houses on: 33 Richards Rd. (Lot 1), 31 Richards Rd. (Lot 2), 237 Cordaville Rd. (Lot 5).

July 12 Zoning Permits granted to Bare Tracts, Inc. to build single family houses on: 10 Fairview Dr. (Lot 13), 20 Fairview Dr. (Lot 32), 7 Fairview Dr. (Lot 42), 11 Fairview Dr. (Lot 44), 13 Fairview Dr. (Lot 45).

July 22 Board granted a Special one-day Permit to Southboro Police Association to sell wine and beer on Saturday, July 30 from 12 noon to 1 a.m.

The following Treasury Warrants were signed by the Board:

June 30 TW 118 for \$84,910.70
" " TW 117 for \$45,190.62
" " TW 18 Rev. Sh. for \$10,920.00

July 5 TW 1 for \$61,709.32
" " TW 2 for \$ 2,800.19
" 7 TW 3 for \$ 500.00
" 12 TW 4 for \$23,176.60
" 12 TW 5 for \$38,059.49
" 26 TW 9 for \$843,499.93
" 26 TW10 for \$ 4,216.27

Aug. 2 TW11 for \$ 40,690.66
" " TW12 for \$ 3,536.02.

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, August 9, 1977

7:30 pm. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe and Paul R. O'Connell, Jr.; Administrative Assistant John A. Lundblad.

8:00 pm. Mrs. McBride arrived.

8:25 pm. The Selectmen met with Mrs. McBride, Mr. and Mrs. McCormick, Mr. and Mrs. Waller and Pauline Brefka, Ch. of the Planning Board concerning the permit issued by the Board of Selectmen to Mr. and Mrs. McCormick for construction of a single family dwelling on property made up of two building lots on Clifford and Parkerville Roads. Mrs. McBride speaking to the Selectmen registered a complaint maintaining that the lot should be registered with the Commonwealth so that no future variance could be acquired for the building of two house lots on this property. Selectmen indicated to Mrs. McBride that as far as the Board of Selectmen and Planning Board were concerned this was recorded as one lot and not two lots and it would not be necessary to go before the Registry of Deeds in Worcester to change this. Mrs. McBride indicated that she did not feel that it was one lot. Mr. McCormick indicated that he bought it as one lot. The second lot (#2) wasn't developed. It^{is} being developed as one piece of property. The Board of Selectmen indicated that they would send correspondence to the Zoning Board of Appeals, the Planning Board, Building Department, Water Department, Highway Department, Board of Assessors, Board of Health, Conservation Commission indicating that this is one building lot and that all permits issued by this office and all other offices dated 5/24/77 were for the construction of a single family dwelling on one parcel of property made up of those two lots combined.

8:45 pm.

to The Selectmen had a discussion with Peter Phaneuf, concerning

9:00 pm. Southville Road truck traffic. The correspondence from the Westborough Selectmen was also read aloud at this time. The Board of Selectmen indicated to Mr. Phaneuf and other interested citizens present that further correspondence will be sent to Westborough to seek their support on a truck exclusion over Southville Road.

9:00 pm.

to The Board of Selectmen met with Mr. Carey, B.C. Lines, Inc., 10

9:12 pm. Lodge St., Worcester, applying for Common Carrier License under 159A Chapter Section 1 for use of the following roads in the Town of Southborough: Route 495, Route 9, for the purposes of running Charter Buses from Worcester, Ma. to the Foxboro harness racing track and returning. The Selectmen hearing no complaints and being informed by the petitioner that no stops will be made in the town, granted this license under the Provisions of 159A Section 1. This license is restricted to Route 9 and 495.

9:12 pm.

to The Board of Selectmen met with the Personnel Board. Members pre-

9:35 pm. sent: David Hayward, Ch. Micheal Backer, Eleanor MacLauchlin, Sec. Mr. Backer indicated that a quorum of the Board is not present and that action therefore could not be taken at this time. However, the meeting could progress. Issues discussed: first a review of the department heads and primary officers, covered under the Salary Administration Plan. The Board of Selectmen had requested this earlier in the year, however, the Personnel Board was unable to put together the plan prior to Town Meeting. The Selectmen agreed to send correspondence to the Personnel Board detailing exactly which positions they wish to have examined. Second, the Board of Selectmen requested an update on the request by the Town Accountant back in December 1976 and January, 1977 seeking additional staff assistance. Mr. Backer knew nothing about the request. Mr. Hayward indicated that he in fact

9:12 to was holding it and he would expedite it. All three Selectmen
9:35 pm. went on record strongly supporting this measure, indicating
cont. that Mrs. Hinckley has a great deal of work to do, not just under
statutory responsibilities of her office but also by the ex-
panded scope of her office because of the Haskins & Sells study.

Third, the payment for 11 day service to the hold-over Treasurer and Collector, Mr. Tanenholz and Mr. Maguire, respectively. There was a compromise struck between the Personnel Board and the Selectmen authorizing that either one month's salary based upon their old rate or one week's salary based upon the new rate be afforded to each. It turned out these rates were virtually the same, \$165.00. Mr. Backer felt that it was a dangerous precedent to offer them a month's salary for 11 days work. Mr. O'Connell agreed with Mr. Backer, however, and indicated that the amount of money was virtually the same and that is, infact, what we should pay them utilizing the formula of the new pay schedule. They should be paid for service ~~rendered~~ in hours turned in, not for time not worked. Fourth, the unionization of the Fire, Highway and Water Departments indicating to the Personnel Board that they should be prepared to enter into these negotiations as part of the bargaining team with the Selectmen and the Advisory Committee. Fifth, the Selectmen requested that the Personnel Board try to streamline ~~the~~ the procedure now utilized for processing applications for new employment or for upgrading or promotions. They indicated a willingness to do this.

9:35 pm. The Selectmen met with the Southborough Community Youth Center. Member present: Mrs. Draper, Executive Director, Ms. DeAngelis, Director; Board members, Robert Morse, Robert Rynning, Sarah L'Hereaux, one other unnamed individual. Ch. Bartolini indicated that Town Counsel Busconi had ruled that the vehicle for expending the funds from the Drop-in Center simply was not available except that funds which related to recreational purposes could be expended under the supervision of the Recreation Commission, if the following conditions were met.

1. That the Recreation Commission would agree to do this.
2. That all expenditures must be for recreational purposes and not purposes related to youth commissions, youth drop-ins, counseling or other programs strongly under the auspicious of the Southborough Youth Community Center.

Mrs. Draper indicated that they would do whatever necessary to furnish this information to the Town Counsel, including quarterly meetings and reports to the Board of Selectmen. Ch. Bartolini requested that they draw up a sheet outlining all of the information necessary for the Selectmen to determine exactly how much of their activity was recreational. Sel. O'Connell went a step further asking that they also draw up the list of proposed expenditures for all purposes, but mainly for the recreational which would be approved by the Town Counsel, forwarded by the Administrative Assistant to the Recreation Commission so that a detailed list could be furnished to the Selectmen prior to the project getting off the ground.

Mr. Rynning asked whether or not the Selectmen would support a Youth Commission. Ch. Bartolini indicated that he had heard a lot of negative response and that people viewed the \$5,000 Warrant Article as a one-time expenditure to make the group self-sufficient tapping private, state and federal funds. Sel. O'Connell concurred with this feeling, saying that it was his interpretation of the Town Meeting vote that it was a one-time expenditure. Mrs. Draper indicated that the Drop-In Center is serving Town kids and that these are Town problems and if the problems are significant enough for a Drop-In Center then the Town should consider that solution. Sel. McAuliffe indicated that this was a new approach, a new program and that the \$5,000 appropriation could be used as a "wait and see" technique with continual evaluation and close monitoring by the Recreational Commission and the Selectmen. Mr. Rynning indicated that he felt that at the very least the Drop-In Program had moved the problem off of dead center and shifted the responsibility from many people, (the Town) to a few (the Bd. of Directors of the Drop-In Center).

9:35 pm. Selectman O'Connell reflected back upon the previous meeting with cont. Mrs. Draper at which time he asked her where the Drop-In Center stood and asked for a balance sheet. His impression was that the Drop-In Center was going to raise several hundred dollars over the summer time. Perhaps less than a thousand. He requested an update on that, what sort of funds have been raised, other than the \$500 donated from the Fay Fund and the \$5,000 from the Town Meeting. Mrs. Draper responded: first, the State contract started July 1st was for \$3,445 for the salary of the Director. Second, since January 1, 1977, \$1,300 has been raised. Third, \$500 has been donated by the Pilgrim Church. Selectman O'Connell then asked if additional funds could be expected by the next Annual Town Meeting. Mrs. Draper indicated that they are trying to raise money with other non-profit organizations from other towns as well as approach business men. Selectmen O'Connell again indicated his concern about a long run commitment to this project, felt that the people at the Town Meeting and people he has spoken to do not expect this to be a long term financial commitment on the part of the Town. People frankly felt that the Drop-In Center was not well organized, that the program seems very general and lacks cohesion. Mrs. Draper stated that to think that a one time \$5,000 donation would solve this problem is ludicrous, felt that the job program that has been done this summer by the Drop-In Center has been a valuable service and that is one example of the nonrecreational services provided by this group that should continue.

Members of the press asked what the status was on the new headquarters. Mrs. Draper indicated that they had two rooms downstairs in the Community House and they were still looking for a permanent home. Selectman O'Connell asked if youths from Southville are coming to the Community House. Mrs. Draper indicated that they are. Tonight was the first time that two showed up. However, other programs are being run in Southville, both at Finn Field and various trips to other locations from Southville. Peter Phaneuf, a resident of the Southville area indicated that they would like to raise the question of whether or not the Drop-In concept even works. If it is advisable to bring troubled youths together in the Center to work together or is it better to try and separate them from other troubled youths and try to deal with them individually. He conceded that he probably should have spoken at the Town Meeting but decided against it. Felt that the Jobs Program was excellent, the trips were very good and that the recreational activity was very good. However, he has serious concerns about the Drop-In concept itself.

The Selectmen made appointments to the Democratic list from Henry Welch; Motion made by Paul R. O'Connell,Jr.; seconded by Selectman Thomas W. McAuliffe; Unanimous voice VOTE.

PRECINCT I

Catherine E. Gralton	Inspector	41 East Main Street
Julia I. Fitzgerald	Deputy Inspector	76 Marlboro Road
Eileen L. Salmon	Inspector	2 Howes Court
Lois W. Denman	Deputy Inspector	42 Flagg Road
Lorraine C. Gasparoni	Deputy Inspector	8 School Street
Carol A. Welch	Inspector	22 Main Street
Mary A. Mc Cann	Department Clerk	36 Boston Road
Janet M. E. Mattioli	Clerk	42 East Main Street
Olive L. Capone	Teller	20 Parkerville Road
Joan M. Misener	Teller	8 Latisquama
Jean M. O'Brien	Teller	10 East Main Street
Elizabeth C. Bigelow	Teller	30 Bigelow Road
Patricia E. Boyle	Teller	5 Newton
Ruth M. Anketell	Teller	38 Boston Road
Jacqueline G. Aspesi	Teller	57 Central Street
Lena A. Carloni	Teller	82 Newton Street
Jane C. Wood	Teller	30 Maplecrest Drive

PRECINCT I cont.

Ruth O. Berry	Teller	6 Cherry Street
Marjorie A. McAuliffe	Teller	132 Marlboro Road
Sheila C. Wilson	Teller	4 Middle Road
Inez T. Busconi	Teller	92 Framingham Road
Ethel B. Wright	Teller	15 Central Street
Colleen A. McAuliffe	Teller	132 Marlboro Road
Judith A. Jessup	Teller	56 Main Street
Lorraine Keller	Teller	87 Turnpike Road

PRECINCT 2

Grace Barber	Inspector	2 Bridge Street
Florence P. Slack	Inspector	229 Parkerville Road
Mary Aghjayan	Inspector	1 Fairview Drive
Dorothy E. Manning	Deputy Inspector	11 Breakneck Hill Road
Joan H. Ferri	Deputy Inspector	18 Atwood Road
Jeanette Grillo	Deputy Inspector	9 Leonard Drive
Gloria Aspesi	Clerk	70 Turnpike Road
Marguerite Aspesi	Department Clerk	70 Turnpike Road
Benita M. Hubley	Teller	103 Southville Road
Alice J. Tomasetti	Teller	193 Woodland Road
Rita A. Quinn	Teller	10 Richards Road
Caroline Pessini	Teller	4 Maple Street
Irene L. Maguire	Teller	175 Cordaville Road
Barbara H. Dorr	Teller	15 Gilmore Road
Margaret A. Benson	Teller	9 Mount Vickory Road
June Kentel	Teller	8 Leonard Drive
Marie A. Kensinger	Teller	4 Maple Street
Helen Meleones	Teller	71 Oakhill Road
Madeline J. Daniels	Teller	3 Fairview Drive
Eleanor E. Mac Laughlan	Teller	93 Southville Road
Lena Baldelli	Teller	176 Cordaville Road
Ronetta J. Munroe	Teller	53 Southville Road
Mary E. Mooney	Teller	35 Highland Street

Selectmen denied a request from Child Development Center for a special permit for the conversion of a residential structure to a nursery school. Sel. O'Connell moved that the request be denied for the use of property in a residence B zone for purposes of a private nursery school due to the fact that the Zoning-By-Law states that such use requires a special permit from the Board of Appeals. Seconded by Sel. McAuliffe: Unanimous voice VOTE refusing request.

APPOINTMENTS/RESIGNATIONS

Letter to Richard Knorr expressing the Board's regret upon learning of his resignation from the Capital Budget Planning Committee as per his letter of Aug. 6, 1977.

Selectmen noted letters from Moderator Swartwood appointing John A. Lundblad as Southborough's representative to the Metropolitan Planning Council; appointing Carl A. Bafaro to the Advisory Committee, to fill vacancy caused by the resignation of Jeanne Duggan, term to expire 1978; appointing Ann G. Dockstader to the Advisory Committee, term to expire in 1978, to fill vacancy caused by the resignation of Louis Barber; appointing Robert A. Worters, Jr. for a three year term.

Board noted 6/27 letter from Edgar A. Phaneuf, Jr. to Town Clerk Berry in which he resigned as of 6/27/77 as a member of the Town Hall Users Work Group (THUG).

COUNTY

Board noted 7/26/77 letter from Worc. Co. Retirement System to Police Dept. re their vote to approve the application of Henry Pietrasiaik to be retired as of July 30, 1977 (last day of reg. compensation).

REGIONAL BOARDS

Board noted 7/22 letter from Central Mass. Mosquito Control Project enclosing a schedule of their planned work in Southborough during the month of August.

FEDERAL FUNDING

Board noted July 12 letter from HUD, Robert Embry, Jr., Assistant Secretary, stating that he can find no basis for overturning the original decision by the Area Office and no reason to consider funding. (Re: preapplication for funding to improve old landfill area to correct water quality hazards.) Board noted July 14 letter from Congressman Early expressing his distress upon learning that HUD found no basis for overturning their original decision.

STATE AGENCIES

Board noted 7/26/77 letter from Susan Redlich, Dir., Div. of Agricultural Land Use, responding to July 18 item in Globe re farmer's request to use Neary School Land. Town has authority to permit farming on town land and Ch. 654 of the laws of 1974 permits public land to be used for farming or gardening. Letter to Susan Redlich re her 7/26 letter stating that the primary issue is whether or not State statutes allow the use of said property for this purpose for up to five years. The family in question is not interested in a short period commitment time. CC: Richard Tibert.

Letter to Richard Tibert, Business Mgr. of N/S School Street re his July 21 letter concerning the use of the Town Counsel for determination as to the School Committee's ability to enter into a five-year agreement with a local family for haying. This question has been referred to the State Div. of Agricultural Land Use for a decision. A copy of that letter is to be enclosed.

Board noted receipt of two letters dated 6/30 and 7/28 from J. B. Stroup, Data General, to Howard Smith, Secretary of Economic Development, re trying to get a response from the DPW about procuring traffic lights on Rt. 9 near Data General Corp.

Board noted Aug. 1 letter from DPU enclosing a copy of the Gray Line's petition to amend its Certificate of Public Convenience and Necessity.

Board noted Aug. 1 letter from Governor Dukakis re traffic control problem at the Southborough Industrial Park, and feels that Southborough has received appropriate attention from the DPW. Further assistance should be seeked from Commissioner Carroll of the DPW.

Board noted 7/28 letter from State Dept. of Corp. certifying "free cash" as of July 1, 1977 as \$396,989.00

COMPLAINTS

Letter to Highway Supt. John Boland and Police Chief F.J. Mattioli enclosing a letter of complaint from Ernest Kallander re the possible use by motorcycles of the driveway from Boston Rd. to the new water pumping station. Letter is to go to Mr. Kallander re his 8/8 letter. Letter to Water Commissioners asking them to contact Mr. Kallander to minimize the potential problem.

TOWN BOARDS

Recreation: Letter to Paula Draper, Exec. Dir. Southborough Community Youth Center requesting her determination of which activities are recreational and eligible for funding under the \$5,000 Warrant Article. The Board would also like additional information re fund raising activities and the intentions of her Board and staff to raise certain sums of money, the techniques they anticipate utilizing and time frame which they are operating under. The Board would also like information re the various projects which the Drop-In Center undertakes as well as the client population and approximate costs for each project. Sel. would also like long-range funding possibilities other than municipal support, which the Center may be looking into. cc: Recreation Commission and Town Counsel Busconi.

Memo to Adv. Com. Ch. George McClelland re Street Light Budget informing that the Selectmen are trying to research the matter of the DPU holding hearings this Fall leading to a final decision on the request of Mass. Electric to increase certain street lighting rates, if approved would become effective Feb. 1 and would reflect on next year's budget.

Board noted ZBA decisions to deny Dennis Doyle and Ceciline Howes a variance to conduct administrative offices at 10 Main Street; and to deny Denise Copeland a variance to install a gunite pool on land owned by the Carnes at 146 Woodland Rd.

Board noted duly signed Standard Form of Agreement Between Owner and Construction Manager- Project: Southborough Fire Station-Construction Mg. Harold Norquist.

TOWN DEPARTMENTS

Legal: Letter to Town Counsel Busconi informing him of the Board's unanimous VOTE to authorize the Treas/Coll Ruth Johnson to use his services for the purpose of tax title work. CC: Ruth Johnson.

Fire: Letter to Linda Leddy, Dir. of Ambulance Distribution Program, State Dept. of Public Health, requesting information re funding assistance for the purchase of an ambulance for Southborough.

Selectmen unanimously voted to sign Change Order No. 2, Contract No. 2 from the Town of Southborough to Greenwood & Sons, 6 Kenneth Road, Reading, Ma. (Transfer Station Contract). CC: Town Accountant, Town Clerk, Highway Supt. Boland.

Board noted July 22 letter from Highway Supt. Boland enclosing duly executed copy of the contract between the Town of Southborough and East Bridgewater Assoc. for the transportation and disposal of refuse.

Board of Selectmen signed the following Treasury Warrants:

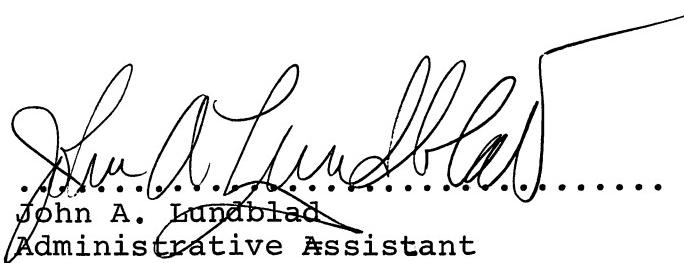
TW #13 for \$36,327.74

TW #14 for \$ 9,249.71

TW #1 for \$ 1,341.80 (Rev. Sharing)

TW #1 for \$ 4,910.46 (Anti-Rec. Fiscal Asst. Funds)

11:35 pm. Adjourned



John A. Lundblad
Administrative Assistant

jal/gw

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Tuesday, August 16, 1977

7:30 pm. Ch. L. Bartolini, Sel. P. O'Connell, Jr., Town Counsel Busconi, Admin. Asst. J. A. Lundblad, members of the press- Cynthia Graves of Marlboro Enterprise, Lee O'Neil of South Middlesex News.

7:45 pm. Sel. T. McAuliffe arrived.

7:45 pm. Selectmen met with the Assessors - Ch. Arthur Holmes and members to Charles Johnson and Arthur Sission, Jr. The first issue discussed

8:22 pm. was the \$2 tax increase. Sel. McAuliffe, Ch. Holmes and Assessor Johnson engaged in a very lengthy conversation concerning the \$2

tax increase. Sel. McAuliffe felt that the agreement made at the Town Meeting to transfer funds from surplus revenue would have offset any tax increase. He was very upset. He had reported to the people there would be no tax increase and now, in fact, there was a \$2 increase. The Assessors blamed the \$2 increase primarily on an increase in assessments to the cherry sheet, as well as a decrease in reimbursements which cause a net \$2.07 increase to offset revenues not received from the State. In addition, a late return on auto excise bills from the Motor Vehicle Department enabled individuals to pay the auto excise tax after the Town Meeting period which in turn gave us less free cash to work with at that time.

The second issue discussed by Ch. Holmes was a feeling that over \$350,000 must be recommitted to Mrs Johnson in uncollected taxes. This accounts for approximately 7 years of uncollected taxes with the bulk being 1977 taxes over \$200,000. Ch. Holmes pointed out that this is \$5 on the tax rate and that this is a very significant problem that should be looked into and we should expedite the handling of the collection of these bills. The Selectmen informed the Assessors that Town Counsel Busconi has already been put on this project; that we assume that the action will begin forthwith.

Ch. Bartolini signed the Insurance Statement of Values for both actual cash value and replacement value for the Town property.

Selectmen AGREED to provide the power and maintenance for the traffic light system on Rt. 9 up to \$3,000 per annum. The Letter of Agreement which should be put together with a letter from Data General Corp. would be sent on to Commissioner Carroll, Dept. of Public Works, to try and expedite this program as soon as possible.

8:30 pm. Selectmen met with Highway Supt. J. W. Boland, Town Counsel Busconi to discuss solid waste hauling fees for the current fiscal year.

8:50 pm. Mr. Boland was asked whether or not he could control the waste coming into the Transfer Station to insure that haulers were not bringing in trash from other Towns. He felt that the primary way to do this was in spot checking, that even a tonnage limit for Mr. Campbell, Mr. Harvey, Mr. Lawrence or any other hauler would be difficult to enforce since they all have mixed rubbish, bringing in residential and business and that that business is the difficult one to measure. Sel. O'Connell indicated that he favored no charge for those people who bring it into the Transfer Station themselves. This was reiterated by the Board. Feeling that he would not charge residential and that he would not charge industries, Sel. O'Connell indicated that the best policy appears to be the status quo- that is to say, no change. If we determine that there is an abuse, we could always reopen the fee schedule hearing and set a fee. Ch. Bartolini indicated that commercial haulers always pay at land fills or transfer stations, that is simply the way that business is done in other towns and other cities. He sees no reason why we should give haulers a free ride. Sel. McAuliffe made the following Motion: that the Town of Southborough keep the existing policy in

effect (this policy has been in effect for one year) for the next year. If abuses are determined, then this policy may be changed. This Motion was seconded by Sel. O'Connell. Sel. O'Connell added that he requests further information in regard to Ch. Bartolini's assertion that other Towns pay and asked the Administrative Assistant to investigate this matter. It was a unanimous voice VOTE of the Board of Selectmen.

8:15 pm. Selectmen met with Town Counsel Busconi and Highway Supt. J. W. Boland regarding Bantry Road. Selectmen reviewed the report of
9:15 pm. the Admin. Asst. and Town Counsel concerning options for the reconstruction and repair of Bantry Road. Selectmen felt that the only option was the possibility of accepting the road and then repairing it. In regard to the law suit, Town Counsel Busconi reported that nothing had been done. No suits were initiated until information is received from the Planning Board from Universal Engineering so that a determination can be made whether or not any negotiations should proceed. Sel. O'Connell felt we should start immediately. Ch. Bartolini felt that this was not wise, the Planning Board had gone to the expense and the time to get this information from Universal and we should not negate these negotiations by starting suit on the \$10,000 bond. Sel. O'Connell felt that if we had gone after this two years ago when the Planning Board had asked for it, that we would now be that much closer to fruition. Town Counsel Busconi indicated that everyone would agree with that. However, he noted that we are negotiating three individual bonds. The Planning Board has called for more information and more time to get it. It would not be appropriate to file suit while we are trying to negotiate these other issues. Ch. Bartolini felt that there is nothing we can do until we get the numbers. It was suggested that if we get the \$10,000, we go to a Special Town Meeting and accept the street and the Town fixes it. Sel. McAuliffe felt that the Planning Board would never go for that. Ch. Bartolini did not like the statute that we would have to accept to fix private roads. He felt that this would create a dangerous precedent. There was concurrence from other members of the Board of Selectmen. He felt that the way to do it was to accept the street, then put the money into it and fix it. Town Counsel Busconi felt that if lawsuits are necessary, that he would advise that the Town go after both bonds at once. It would give him more clout for negotiations. Ch. Bartolini instructed the Administrative Assistant to contact the Planning Board to determine if we could have a meeting by August 30 to discuss the four following issues:
(1) the figures from Universal Engineering, (2) whether or not the Planning Board would wish to litigate both cases at once if the dollar figures from Universal Eng. are not right, (3) if only the \$10,000 comes in, would the Planning Board be willing to go to a Special Town Meeting to accept the street and then repair it, (4) Highway Supt. J.W. Boland will work on a cost estimate to try and show the ranges of the possibility between the \$10,000 which may come from the bond and the \$27,500 which apparently has been determined to be the total cost to bring it up to subdivision control standards.

The Selectmen then adopted the policy statement for the hiring of a police officer. There were two changes - one being that the applications would be filed with the Chief of Police in sealed envelopes and be kept in the strictest confidence in serialized order and secondly, that the applications would be received for ten days after the publication of the last advertisement.

The following Treasury Warrants were signed by the Selectmen:

- TW #15 for \$46,221.19.
- TW #16 for \$ 5,033.23.
- TW #17 for \$ 4,471.00.
- TW #18 for \$85,188.12.
- TW #19 for \$ 1,608.39.

COMPLAINTS

Letter to William Wiggin, V.P. BayBank Newton-Waltham Tr. Co. re old mill property, 15 River St. (formerly owned by Snowfighters, Inc), asking for clarification of the permanence of the one-inch steel plate which has been placed across the concrete spillway and gate on the dam at this property. There may be some future problem with potential erosion of the earth dam and the steel plate blocking the normal flow channel stands 8 to 10 inches above the existing earth dam. If no spillway is allowed for, sooner or later the water will begin to flow over the top of the dam and begin to erode this structure. CC: Town Counsel Busconi and Highway Supt. Boland.

Letter to Conrail Co. regarding a malfunction in the wiring or the early warning device that triggers the flashing lights and bells at the railroad crossing on Central Street, Fayville. Selectmen request that this malfunction be corrected on a permanent basis and that either the response time be drastically reduced or the Police Dept. be allowed to disconnect the ringing and flashing system until a crew can arrive.

Memos to Highway Supt. Boland asking him to (1) contact Mr. Conti of Bantry Road re the erosion problem he is experiencing at the corner of his lot adjacent to Bantry Road; (2) to erect "thickly settled" signs on Parkerville Roads on both approaches to Gilmore Road to slow down traffic approaching Gilmore Road.

Letter to Lois Simmons, Cordaville Rd., re the dam at the Old Mill informing her that it is assumed that the one-inch steel plate which was placed in there was a temporary measure done by the Bank, the owner of this property at 15 River St.

Letter to Earle Chase, Jr., Town Coordinator, Westboro, re his letter of Aug. 2 concerning truck exclusion on Southville Rd. Selectmen felt that this Aug. 2 correspondence did not clearly state support for the use of the truck exclusion law along Flanders Rd. reverting traffic back to 47S.

LICENSES

Letter to Wesley Wallace, Right of Way Agent for NET, requesting that prior to erecting any guy wire on private property owned, by Mr. and Mrs John Baueri, 5 Valley Road, that NET contact the Baueris directly either to get their permission or to make other arrangements for the securing of this pole

TOWN BOARDS

Letter to Paul Brefka, Ch. of THUG, stating the Selectmen's policy re Change Orders in all construction projects. These are treated as amendments to the contract and therefore must be approved in advance by the Board of Selectmen. In case of severe emergency the Selectmen will expedite this process via telephone calls. Permission must be given by the Selectmen prior to any work being done on any Change Order. CC: Edgar Phaneuf, Jr., Construction Manager of Town Hall renovation.

Letter to Paul Brefka, (Ch. Planning Board) regarding site plan hearings and working out ~~what~~ the deadline should be for the filing of the plan prior to site plan hearing in order for both Boards to review this document.

Letter to Micheal Backer, Ch. Personnel Board, asking if they have reached any decision concerning additional help for Town Acc't Hinckley.

TOWN BOARDS cont.

Letters to Planning Board, Conservation Commission, Industrial Development Com. and Bd. of Health asking their interest in being members of an ad hoc committee with the Advisory Committee and the Bd. of Selectmen to exam the Town's commitment to the industrial development process and the followup of that commitment. CC: George McClelland, Ch. of Adv. Com.

Letter to Joseph Madison, Ch., Recreation Commission, re the Drop-In Center informing him that prior to any commitment by the Selectmen, the entire list of possible recreational activities will be presented to the Rec. Com. for its approval.

Complaints: Letter to Mrs. W.R. Robinson, 118 Fisher Rd. informing her that the Highway Supt. will erect a "Go Slow/Children" sign on Fisher Rd. in the vicinity of the Marlborough/Southborough town lines. Chief Mattioli will increase his patrols to try to eliminate the through truck traffic which is in obvious violation of the Traffic Rules and Regulations of Southborough.

TOWN DEPARTMENTS

Letter to Claims Dept., Int. Surplus Lines Insurance Co., re their letter of 8/9/77, forwarding (1) a copy of charges filed in the Worc. Superior Court, (2) the reply- a brief by Town Counsel Busconi, (3) a copy of the job description for civilian dispatchers in the Police Dept., the position which Richard Long held. A detailed narrative account of the acts which gave rise to the possible claim will be forwarded under separate cover by Town Counsel Busconi. A memo to Town Counsel Busconi requesting that he send to Int. Surplus Lines Ins. Co. the narrative account as mentioned above (re Richard Long).

Cert. letter R.R.R. to Elliott Taylor, 23 Overlook Dr. re his failure to erect a fence, wall or other suitable barrier around a swimming pool on his premises at 23 Overlook Drive. Building

Memo to C.E. Williams Insurance Agency asking the limit of the Town's liability for patrolmen, firefighters, etc. due to any liability claims. Also what would the cost be of the expansion of this service, if desired.

Letter to Lamy Realty & Insurance Co. enclosing a specimen of the ins. policy furnished by the Reliance Ins. Co. of Philadelphia to Fire Chief Brock. This is a possible type of coverage that would not only protect full-time firefighters with an expanded accident and health policy but also could tie-in the civic volunteers. Selectmen would like this policy reviewed as to cost, etc.

Legal: Memo to Town Counsel Busconi enclosing plan referred to in letter of Aug. 4 from Robert Venne to the Board. Selectmen would like this plan reviewed as well as the accompanying letters from Mr. Venne, as well as his engineer Thomas M. White, to determine whether or not the Board can make authorization. What procedures should be conducted to involve the Town downstream from this projected subdivision. What liabilities may be incurred, if any, because of a favorable action by the Selectmen. CC: Planning Board. Aug. 4 letter from Mr. Venne requested the Board approve the installation of a storm water drain line in Pine Hill Road from Graystone Way northerly to an existing culvert. This drain would service a proposed subdivision presently before the Planning Bd.

Board noted 8/29/77 letter from Town Clerk Berry to Brad Higgins, Mgr. Mechanics National Bank, Northboro, placing 30 sealed boxes in the bank's vault storage facility.

TOWN DEPARTMENTS cont.

Letter to David LaBrecque, Pres., Growing Tree Child Development Center, re his letter of Aug. 4 regarding land and a building located at 122 Marlboro Road requesting the Board's permission to locate his private nursery school on this property. Additional information is necessary in order to determine whether or not special permit, variance or no action is necessary by the Board. Selectmen need to know if this school is a non-profit organization or a private school or kindergarten. If this school is as described in page 23, paragraph 2 B of the Zoning By-Law, then zoning permit is denied and Mr. LaBrecque should apply to the ZBA for a special permit. CC: John Rego, Ch. Zoning Board of Appeals.

Letters to Planning Board, Board of Assessors, Board of Health, Zoning Board of Appeals, Conservation Commission, Highway Supt., Bldg. Insp. and Water Commissioners stating that the Board of Selectmen and the Planning Board are of the unanimous opinion that the Zoning Permit issued to Micheal F. McCormick for use of land on Lot 1 and 2 Clifford St., house number 40 Clifford Street, area of lot 59,543 sq. ft. for the purpose of construction of a single family residence, dated May 24, 1977, duly executed by the Selectmen was for the construction of a single family house on one lot. Any subdivision of these two lots or any attempt to utilize one lot for the construction of an additional single family home would not be permitted. CC: Mr. McCormick, Mr. and Mrs. McBride and Town Counsel Busconi.

Letter to Police Chief Mattioli informing him that the Board took no action on appointing further Reserves although they did review the request which the Chief forwarded, with recommendation, concerning Mr. Boland. Selectmen continue to have reservations about converting civilian dispatchers into uniformed officers even for the purpose of guarding prisoners. No action has been taken on that request at this time.

Board noted 8/9 letter from Bldg. Insp. Phaneuf to Walter Sullivan, Framingham Savings Bank, re property at 96 Southville Rd. in which he enclosed correspondence from the Board of Assessors substantiating, together with the records of the Bldg. Insp. and the Bd. of Selectmen that the garage in question was constructed in 1948 and the sunporch constructed in 1950. These structures qualify as pre-existing, nonconforming uses and are protected under the Grandfather Clause as provided in the Zoning By-Law.

STATE AGENCIES

Board noted 8/10 letter from Commissioner John Carroll, DPW, Boston, to Howard Smith, Sec. of Economic Development re installation of traffic control signals at Rt. 9 and Crystal Pond Rd. The installation will continually be delayed until the Town and the Department execute an agreement for the installation.

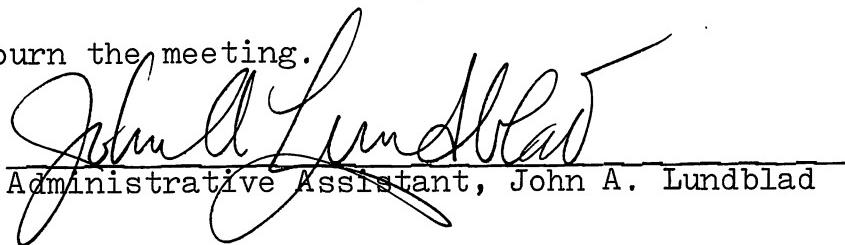
Board noted 8/11 letter from State Labor Relations Commission re Southborough Permanent Firefighters Assoc. stating that the election will not be held on Aug. 15, 1977.

Letter to Steven Greenfogel, Ass't. Attorney General, Chief, Antitrust Div. re his letter of Aug. 18, advising him that all the information requested will be assembled when possible. As we are in temporary quarters, some of the older records are sealed and difficult to retrieve for a while. The data needed will be forwarded when it can be retrieved from the sealed files.

STATE-AGENCIES cont.

Letter to Commissioner John Carroll, DPW, Boston, re traffic lights proposed on Rt. 9 near Crystal Pond Rd. and Data General. The Board has AGREED to the following stipulations as the Town's contribution to the institution of this traffic improvement: (1) Town would support the acceptance of an easement from Data General if such an easement were made available and necessary for this project. (2) Board would be willing to assume maintenance and utility costs for the signalization of Crystal Pond Road and Rt. 9. Data General is willing to assume reasonable costs for the purchase of equipment necessary and to grant whatever easement is necessary. It is believed that all conditions have been met as stated in letter dated May 24, 1977 from V. J. Cantone, Traffic Eng. Div. to J. Bradley Stroup, Data General.

9:36 pm. VOTED: to adjourn the meeting.



John A. Lundblad
Administrative Assistant, John A. Lundblad

jal/gw

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, August 30, 1977

7:30 pm. Present: Ch. L.J. Bartolini, Sel. Thomas McAuliffe and P. R. O'Connell, Jr., Admin. Ass't J. A. Lundblad, Maureen Maguire of Worc. Tel. & Gazette.

8:00 pm. Cynthia Graves of Marlboro Enterprise arrived as did 4 interested citizens: Lois Simmons, Cordaville Road, Robert Somers, Sears Rd. Lorraine Keller of Turnpike Road, Michelle Lanza, Turnpike Road.

8:00 pm. to The Board of Selectmen and the Admin. Assistant discussed the latest developments on Bantry Road. Admin. Ass't conveyed the message from Paul Brefka, Ch. of Plan. Bd., that Mr. Brefka would meet at 8:00 a.m. 7 Sept. with Universal Engineers at the Industrial Park to inspect the work to be done. Selectmen indicated they would be willing to attend that meeting. Sel. instructed Admin. Ass't to write to the Plan. Bd. to detail our understanding as of now.

8:00 pm. Admin Ass't Lundblad discussed the survey searched out by the to Selectmen's staff for the user fees for other towns and their land 8:12 pm. fill facilities. Out of the 12 or 14 towns surveyed, only Natick and Framingham charge substantial fees, all the rest either charging no fees or just charging a minimal one-time sticker fee.

8:15 pm. to Bid Opening for 1978 Police Cruiser. Ch. Bartolini read aloud the 8:21 pm. legal ad as it appeared in the Worcester Telegram of August 8, 1977

Three bids were received:

- (1) Framingham Ford Auto Sales, Inc., Framingham 1978 LTD Police Sedan Model 63 (with tradein).....\$4,845.00
- (2) Crown Chrysler-Plymouth, Inc., Framingham 1978 Plymouth Fury Police Cruiser 4-dr. sedan, 318 C.I.D. eng. (with trade in)..... \$4,726.00
- (3) Crown Chrysler-Plymouth, Inc., Framingham 1978 Plymouth Fury Police Cruiser 4-dr. sedan, 360 C.I.D. eng. (with trade in).....\$4,772.00

One bidder was present from Framingham Ford Auto Sales, Inc.

Sel. McAuliffe moved that the bids be taken under advisement and be referred to the Police Chief. Motion was seconded and VOTED unanimously as stated in the motion.

8:30 pm. to Selectmen held a pole hearing on the petition of New England Tel. and Mass. Elec. Co. to locate 1 pole on Flagg Rd. at a point 8:35 pm. which is approx. 178 ft. northerly of Boston-Worc. Turnpike. Ch. Bartolini read aloud said petition. Wesley Wallace, Right of Way

Agent for NET gave a brief presentation and indicated that this is a hazardous condition, that a mid-span pole is needed to allow for proper and legal clearance between the power and telephone cables. William Deerstein of Mass. Elec. Co. then indicated that the prime reason for the pole was to meet the law both with regard to the distance between the two utility wires as well as between the ground and the lower utility wire. It was moved by Ch. Bartolini, seconded by Sel. McAuliffe that the pole location be approved as pre-

sented. Sel. O'Connell asked if any abutters were present. Florence Fitzgerald explained the hazardous condition, she was the abutter requesting this service change. It was a unanimous VOICE VOTE of the Board of Selectmen to approve the pole location as submitted.

8:45 pm.

to The Board of Selectmen met with Fire Department Capt. Frank Aspinwall and Mr. Earl Smiddy of the Fire Station Building Committee applying for a License to store 6,000 gallons of gasoline and diesel fuel on the site of the new Fire Headquarters Building at 19 Main St.. Legal Ad appeared in the Worc. Telegram Aug. 16. Abutters were duly notified by certified mail and receipts were presented to the Selectmen and verified by the Admin Ass't against the abutter list. Captain Aspinwall presented the site plan and it was reviewed by the three Selectmen. Mr. Smiddy indicated that the site had been approved by the Building Committee. Capt. Aspinwall assured the Selectmen that all fire laws had been met. Sel. McAuliffe moved, seconded by Sel. O'Connell to approve the site as presented. It was a unanimous voice VOTE of the Board of Selectmen. Ch. Bartolini signed the Licence to store said fuel.

8:48 pm. The Board of Selectmen met with Mr. and Mrs. Leavitt of Main Street who had come for the hearing but arrived a few minutes late. Ch. Bartolini gave them a brief presentation showing exactly where the various storage facilities would be.

8:58 pm.

to Board of Selectmen considered a Conservation Commission appointment. Sel. McAuliffe stated that since Bruce Ey had moved out of Southborough he made a motion that Brian Mauro, 2 Foley Drive, fill the vacancy. Sel. O'Connell said he would like one additional week prior to making a decision. Sel. O'Connell indicated that he had spoken with Mr. Douglas, and wanted more time to speak with Mr. Mauro and two other applicants. He said that however, if there were two votes present for Mr. Mauro, "we should get on with it". Ch. Bartolini indicated that his position had been clear for some time that he favored the appointment of Mr. Mauro. Furthermore, he felt that he was a good man, that he had come from a family of farmers, from a family of people who knew the land, knew the Town well, knew every street, brook in Town because of his association with the Highway Dept. Rather than delaying this vote another week, he would like to see the vote taken this evening. He indicated that he had offered Mr. O'Connell many delays and it has been many months now since the original appointments were made. Therefore, Ch. Bartolini seconded Mr. McAuliffe's motion. It was a 2 to 1 vote- Mr. O'Connell voting No. This is a new appointment to replace the holdover on Bruce Ey. Mr. Mauro's term is for three years and expires in 1980.

TOWN BOARDS

Letter to Board of Assessors informing them that Ralph J. Auciello, representing Auciello Iron Works Inc. of Brighton, Ma. is interested in relocating the general area of Southborough and would like to know the existing valuations on the property known as the old Cordaville Mills formerly owned by Snowfighters, Inc., 15 River St. This firm wants to erect a 12,500 sq. ft. manufacturing building with a 2,500 sq. ft. attached one story office bldg. and this firm would like information re estimated tax bill for such a structure on this parcel of land. Selectmen would appreciate the Assessors contacting Mr. Auciello. cc: Auciello Iron Works, Inc.

TOWN BOARDS cont.

Industrial Development: Letter to David Maynard, V.P., Worc. County Nat'l Bank, enclosing a copy of the existing building sites within the Town industrially or commercially zoned, as well as a zoning map to locate each of the parcels.

Letter to Conservation Commission informing them that a manufacturing firm is interested in the property at 15 River Street and therefore the Selectmen would like to know the official position of the Commission as concerns Cease and Desist Order and the Hatch Act proceedings on this parcel.

Unanimous VOTE: to cancel Board of Selectmen's meeting of Tuesday, September 6, 1977. The next meeting of the Board will be held on Tuesday, September 13 1977 at 7:30 p.m.

Letter to George McClelland, Ch. Advisory Committee, re possible deficits in Insurance Budget - Workman's Comp. and Street Light Budget.

Letter to George McClelland, Ch., Advisory Committee, enclosing letter of Aug. 10 from Town Treas./Collector Johnson to the Board re the implementation of one of the Haskins & Sells recommendations. Mrs. Johnson is prepared to start the computerization of the Town's payroll.

Letter to Leo Bertronazzi, Ch., Historic Celebration Committee, re correspondence received from Town Accountant Hinckley concerning the funds for the 250th Celebration. Selectmen would like to arrange a meeting between Mr. Bertronazzi, Mrs. Hinckley, Mr. White, Town Counsel Busconi and Admin. Ass't to resolve this matter. cc: Town Accountant and Town Counsel.

STATE AGENCIES

Letter to Steven Greenfogel, Assistant Attorney General, re his letter of Aug. 18. To be enclosed are copies of Minutes of the Board of Selectmen for various dates from 1970 to 1977 when awards were made for road materials. In addition to be enclosed are copies of bids for 1974 to 1977 inclusive. We do not have copies of the bids from 1970-1973 inclusive.

COMPLAINTS

Letters to Vigeant & Sons, Marlboro; Stop & Shop, Marlboro, and International Paper Co., Framingham, informing them that vehicles from their firms are using the Fisher Road short cut between Marlboro and their facilities. Fisher Road has been deemed a residential road and not a major truck route. The Police Chief has been instructed to increase surveillance and to ticket all violators and prosecute to the full extent of the law. cc: Police Chief Mattioli.

LICENSES

Letter to Mrs. Harry Gould, 160 Woodland Rd., re her request of Aug. 8, allowing her to keep a trailer on her property for 30 days without a special permit and that her sister-in-law and her husband may certainly stay in that trailer while they are visiting. If they plan to stay longer than 30 days, another request in writing must be received by the Selectmen so that this permit may be extended.

ZONING

Letter to Paul Tardie, Pres. of Design Concepts, Inc., Framingham, re his Sept. 6 request for an Earth Removal Permit for the Lots 1-7 at the corner of Richards and Cordaville Roads. It is the opinion of the Board of Selectmen that a permit is not required for the activity he contemplates. Soil Erosion By-Law excludes earth removed to permit the erection or construction of buildings, driveways, walks, recreation areas, parking facilities, etc. Mr. Tardie's check for \$10 is to be returned to him.

TOWN DEPARTMENTS

Letter to Police Chief Mattioli informing him that it is the Selectmen's wish that the extremely high-mileage cruiser be put into a reserve capacity and that the blue unmarked sedan be taken from surveillance/radar duty and transferred to regular patrol.

Letter to Ruth Johnson, Treasurer/Collector, re her request of 8/17 to use services of special counsel John Hughes of Holliston for tax title purposes. If Town Counsel Busconi is willing to provide all necessary assistance for the tax title work, then the Selectmen instruct Mrs. Johnson to utilize Mr. Busconi's service exclusively.

Letter to Town Accountant Hinckley enclosing a letter dated 8/24 from Fire Captain Frank Aspinwall regarding the emergency situation which exists because of a brush fire on Aug. 21. On advice of the Town Counsel, Capt. Aspinwall took action to insure the maintenance of Engine 22 which had the pump break while working at the fire on 8/21.

Board of Selectmen signed the following Treasury Warrants:

Aug. 29 TW #20 for \$164.00
Aug. 30 TW #21 for \$840,501.99
Aug. 30 TW #22 for \$2,998.56
Aug. 30 TW #23 for \$43,636.35

Sept. 6 TW #24 for \$254,008.05
Sept. 6 TW #25 for \$38,507.33

Sept. 2 TW #1 for \$331.92 CETA --Project
Sept. 6 TW #2 for \$227.29 CETA --Project


Administrative Assistant, John A. Lundblad

jal/gw

MINUTES OF MEETING
BOARD OF SELECTMEN

September 13, 1977

7:30 pm Present: Chairman Louis J. Bartolini, Selectmen Thomas W. McAuliffe and Paul R. O'Connell, Jr., Admin. Ass't John A. Lundblad, members of the press and 35 citizens.

Selectmen signed Treasury Warrant #26 in the amount of \$3,701.15; TW #27 in the amount of \$120,604.19; Federal Revenue Sharing TW #2 in the amount of \$118.65; Anti-Recessional Fiscal Asst. Funds TW #2 in the amount of \$4,910.46; and CETA Project-Title 6 Funds TW #3 in the amount of \$304.85.

The Board of Selectmen authorized the Treasurer/Collector Ruth Johnson to computerize the payroll system, and to enter into whatever agreements necessary with Newton-Waltham BayBank for this purpose.

8:00 pm to Selectmen met with Mr. and Mrs. Stephens of 249 Parkerville Road and Mrs. Hayes of Parkerville Road. The first issue discussed was the property at 247 Parkerville Road which was damaged by fire approximately one year ago. The residents present had requested that the Board of Selectmen take action to make this structure safe for area children. Ch. Bartolini informed residents present that the Town had moved against the owners a number of months ago. However, because the property was in probate, it was difficult to get any action either from the court or from the heirs to the estate. Despite this, the Town had notified the Estate that under Chapter 143, Section 8 of the General Laws of the Commonwealth of Massachusetts that action would be taken by the Town if no action is taken by the Estate. Since the Estate was subsequently settled, the Board expects that the correspondence going out from the Selectmen's office this week will bring immediate action or the Town will intervene. The second issue discussed was the extension of sidewalks from the school (Finn School) down Parkerville Road to this residential area. The Board of Selectmen indicated that they will contact the Highway Supt. to determine what plans, if any, he has in regard to this project.

Selectmen then read a petition from the residents of East Main Street and Overlook Drive as concerns speeding traffic on East Main Street. Selectmen instructed the Admin. Ass't to follow up on the petition request working with the Highway Supt. and the Police Chief. The four issues requested in the petition were: (1) that the speed limit on East Main St. be no more than 20 m.p.h., (2) that this speed limit be strictly enforced, (3) that this speed limit be posted at appropriate locations, and (4) that a stop sign be located on Overlook Drive at its intersection with E. Main St.

8:15 pm to Selectmen met with Paul B. Lindau, General Manager of Trachte Metal Buildings Co., Richard Guerard of Guerard Survey & Co., Paul e Brefka - Chairman of the Southborough Planning Board, Planning Board members: M. Donath, L. Kimball, D. Dillman. Mr. Lindau gave a brief presentation as to the proposal to go on this property. He indicated that all abutters had been notified and he had all certificates of return except for those who had failed to sign. He indicated that he

had been to the Board of Health, had been to the Conservation Commission (had to file a "Hatch Act" Notice of Intent with the Conservation Commission , however, he felt that this action would be forthcoming.)

He explained that the project is designed for storage of household goods on a month-to-month rental basis. He read a diversified list of tenants ranging from individuals to corporate lending institutions. On a nation-wide basis, their average traffic count is 15 cars per day. The hours of operation at this location would be 7 a.m. to 9 p.m. with half the operations on Saturdays and Sundays. The entire area would be secured with a chain link fence with a live-in manager. There would be area lighting in each of the aisles. The buildings anticipated would be pre-engineered metal buildings with approximately 20-year life. He indicated that his building company had a great deal of experience in constructing these, that they anticipated no construction problem.

Mr. Guerard then gave a brief presentation indicating that a curb-cut verbal permit has been received from the Mass. DPW. However, it had not been put in writing yet. (This was confirmed by Joseph Miele of the Mass. DPW in a telephone call from Admin. Ass't Lundblad.) Mr. Guerard then indicated that they had designed a 100-year storm drainage system with a 24-inch pipe leading from the site draining toward the brook in the vicinity of Brook Lane. Ch. Bartolini then noted that it is customary to show buildings, not just base elevations for buildings on site plans and requested that to be shown. In addition, he requested that area lighting be shown if that is necessary. Mr. Lindau indicated that area lighting was necessary, that there would be a pole at the end of each building illuminating the aisles. Ch. Bartolini indicated that must be incorporated in the plan.

Mr. Guerard indicated that working sessions had been already carried out with the Southborough Conservation Commission and the Department of Environmental Quality Engineering. A Hearing should be convened on September 22, 1977 on an informal basis with the Southborough Conservation Commission. He also indicated the State had told him that he must file with the Army Corps of Engineers. This, too, should be accomplished prior to the beginning of construction. Ch. Bartolini indicated that the Board of Selectmen cannot act on the Site Plan until all other town boards and State Agencies have granted the necessary permission. Mr. Lindau indicated that the Conservation Commission had told him they had expressed concerns that this in fact does create problems with developers. The Town By-Law does clearly state that the Site Plan must be the last permit issued.

Ch. Bartolini asked the estimated cost of this project. Mr. Lindau indicated it would be one million dollars. Asked if any signs would be on the site, Mr. Lindau indicated that there would be signs advertising the location of this business. Ch. Bartolini indicated that these must be shown on the plan. At this time Chairman of the Planning Board, Paul Brefka, presented a letter to the Selectmen indicating the eight concerns the Planning Board had with this proposal. Those concerns were:

lighting, signs, parking, screening between the business and residential districts, landscaping, height of buildings, percentage of property covered with buildings and the security system around the structure. The lighting signs had already been covered by Ch. Bartolini. In regard to the parking, the Planning Bd. estimated that the gross floor space was somewhere between 650,000 and 700,000 sq. ft. Therefore, somewhere between 44 and 46 parking spaces would be required. Mr. Lindau indicated that sufficient space was available if that was desired. However, they never put parking spaces in because they encourage the people to come in and drop off the items and leave; not to work in the buildings or do car repair. In addition he mentioned that no lighting was provided inside the building to further discourage any individual from using the buildings as a repair shop. In regard to the screening, Chairman Brefka indicated that there is no hard and fast requirement as concerns the buffer between residential and business districts. However, the Planning Board would like to see some sort of a buffer if possible.

Landscaping was not clearly indicated on the plan and should, in fact, be placed there prior to the approval by the Joint Boards. Mr. Lindau indicated that the height of the building would be shown on the plan. In regard to the ground coverage, he indicated that only 35% of the available space was being used and this is well below what they do on an average basis nation-wide. However, because of winter maintenance (snow removal) they felt they had to have wide aisles for plowing. In regard to the chain link fence, the Planning Board had thought to have this fence somehow disguised from Rt. 9. Mr. Lindau indicated that it was meant to be a security fence with clear visibility for the watchman. However, there would be some low level landscaping between the road and the fence.

8:30 p.m. Town Counsel Busconi, Highway Supt. Boland and Conservation Com. members Inge Tufts (Chairman) and Delia Mulvaney arrived.

Chairman Bartolini asked if any representatives of the Board of Health were present. Chairman Mauch and member Dr. Stone were present. Mr. Mauch indicated that the sewerage plan had been submitted, that it had not yet been approved, but it appears workable for the use requested. Sel. O'Connell asked what affect the 100 year flood design would have on the brook and the area of the neighbors. Mr. Guerard indicated he had done an analysis to the 32 inch pipe that goes under Rt. 9 and the Conservation Com. felt there was a serious problem in a 15 inch pipe that was about 400 feet away from the property. Mr. Guerard then gave a brief presentation and indicated that in regard to the Board of Health request that Trachte Co. leave a large piece of percable land next to them so that further development could continue on Rt. 9, they did not box in and use up all the percable land along the highway. Secondly, in regard to the storm drain, as he called it, he has made a determination that an 18 inch pipe is necessary. However, they designed a 24 inch pipe on the site. This 24 inch pipe goes to an open brook and that in turn is piped in a 24 inch pipe until it runs into the continuous flowing brook. Attempts were made with rip rap and other techniques to slow the velocity since the estimated run-off will increase from 18 cu. ft. per second to 75 cu. ft. per second with the paving and building construction. The existing 24 inch

pipe runs westerly to Brook Lane to a catch basin. This design, in his estimation, would only hold a 10 year storm. That catch basin in turn feeds into a 15 inch pipe which runs 70 feet and he feels that would not even take a 10 year storm and that would be a source of continual flooding. That fact was restated by a number of residents who maintained that they do have seasonal flooding each year. He felt that pipe should be increased. However, to his knowledge, no easements exist for the project are on private property. At this time Mrs. Tufts indicated that she would request the assistance of the Board of Selectmen through the Town Counsel to make a determination where the developer's role ends in run-off problems and where the Town's begins.

Ch. Bartolini then opened the discussion to the residents of the area. Mr. Walter J. White requested to know if this was going to be piped all the way to Brook Lane and he was very upset that this would flood his home. Ch. Bartolini indicated that clearly it would not. Earl Smiddy wanted to know why a warehouse operation was not going before the Zoning Board of Appeals. He felt the usage was not allowed in a business district. The point was noted by the Board. He also felt the pitched roof design would be very noisy. An unnamed resident asked why the hours would be so long, from 7 to 9. He felt the hours need not be expanded and the number of people using the facility would be far in excess of 15 per day. Mr. Lindau indicated that they had run these operations nation-wide and that the people's habit differ from region to region and granted, that in Southern California there is a much more intensive development. They don't have to worry about snow removal and problems of that sort. In many southern California operations they actually wire the buildings so the people can use them as repair shops and other shops. But this would not be done here. The hours 7 to 9 would be firmly kept. There is a clearly documented need in this area. The feasibility project began over a year ago and the property acquisition began shortly thereafter. Mr. Atchue requested information on how large the operation would be, how many buildings, how many rentable units (10 buildings and over 500 rentable units). Miss Fantony requested Town Counsel's ruling on how industrial use could get into a business zone. The Board of Health Chairman Philip Mauch raised the issue which could not be resolved in this hearing - that the runoff after it leaves Brook Lane goes down to Willow St. and Harvest Lane (Hendries driveway) and Rt. 30. There has always been a serious drainage problem since development along Rt. 30. This will further aggravate it as will the mini-mall currently being proposed for Rt. 30. He wanted to make this part of the record and the Board of Selectmen's consideration.

Selectman O'Connell then moved that this be taken under advisement and that the Town Counsel be asked to produce a ruling - first, in regard to the permitted use in the zone - whether or not a warehouse operation - be it commercial warehousing or retail warehousing - be allowed in this district; secondly, he would like a decision of who is responsible for drainage and how far. The motion was seconded by Sel. McAuliffe and it was a unanimous voice vote of the Board of Selectmen.

Discussion continued as concerns the warehousing, whether it was a retail or a wholesale concept with a number of residents raising the issue that the Selectmen and the Town Counsel discuss it. Mr. Lindau tried to answer the questions.

9:20 p.m. Selectmen met with the Southborough Housing Authority. Members present were: Henry W. Welch, Jr., Ronald F. Daniels, and David E. Taylor, Sr. Acting Chairman McAuliffe called for nominations. Barbara A. Murphy, of 202 Cordaville Road, was nominated by Mr. Welch, seconded by Mr. Daniels. No other nominations were received. Acting Chairman McAuliffe cast one ballot for Mrs. Murphy. It was a unanimous vote to elect Barbara A. Murphy, 202 Cordaville Road, as a member of the Southborough Housing Authority to fill the vacancy, created by the resignation of Anita C. Zollo of 6 Rock Point Road, until the next Town Election in May 1978.

9:30 p.m. Town Counsel Busconi, the Selectmen and the Advisory Committee Chairman George McClelland and member Sherman Ball met to discuss the Supreme Judicial Court's decision on the Town's Abortion Clinic Banning By-Law. Town Counsel Busconi gave a brief explanation of the situation summarizing the decision, then offered two alternatives: First, that within 28 days the Town could file for a Motion to reargue before the Supreme Judicial Court. Town Counsel strongly recommended against this as a waste of time, effort and money. Second, to file a Petition of Associate to the U. S. Supreme Court. Said petition should be filed 90 days from the date of the issuance of the order which was 9/8/77. Town Counsel would request, however, that the Board not take the full 90 days to make a decision since it would require some work. This process would begin with a three to four page outline describing the history of the case and its Constitutional significance. Town Counsel indicated that 95% of all of these are preliminarily dropped. One to two per cent are preliminarily approved by a single Justice but later dropped. Three to four per cent go before the High Court. The cost for this level of activity would be 10 to 15 hours at \$35/hour plus entry fees. Town Counsel cannot give us the odds on the success, not even a probability from the point of origin. It is very difficult to get in and very difficult to succeed if we get in. Sel. McAuliffe asked if the Board does petition and succeed, can it later be withdrawn. Answer was in the affirmative. What would be the cost of this step. Answer was \$500 to \$1,000. Sel. McAuliffe asked the cost of the full appeal. Town Counsel answered that the printing would be significant and we are talking in the neighborhood of \$10,000 to \$15,000. Sel. O'Connell felt that if we are going to file an appeal, we must consider the total cost.

George McClelland, Ch. of Advisory Committee, asked the following questions: (1) Do we have to raise specific points in the Constitutional Law? Answer: Yes. Sometimes they don't really care if it is a major Constitutional issue. They would rather send us back in the Lower Courts which is extremely time-consuming and expensive. (2) Are there significant Constitutional issues for local government? Town Counsel answered: Yes. (3) Is this possibly expanded beyond the petition? In other words, is Step 1 as Town Counsel Busconi described it the total fixed cost? Town Counsel answered: Absolutely, yes. (4) Can you withdraw any time? Town Counsel answered: Yes. (5) How long will it take to get an answer? Town Counsel answered: 12 to 14 months. If we are granted the petition, we will be before the bench arguing. (6) Would you need any outside help other than your firm?

Town Counsel answered: No. (7) Would your fee increase going to the Supreme Court? Town Counsel answered: Under the agreement I have with the Board of Selectmen, no. (8) Would your fee increase going to the Supreme Court going for other clients? Town Counsel answered: Yes. (9) Did you check out the cost of going to the Supreme Court with other firms in what they would charge? Town Counsel answered: I do not do that as a matter of policy. (10) What would you estimate the normal charge of your firm? Town Counsel answered: \$75 to \$100 an hour as opposed to \$35. Selectman O'Connell asked about intervenors. Did they argue before the SJC? Town Counsel answered: Yes. Q. Can they also appeal? Town Counsel: Yes. Q. Can they drag us along if they appeal? Town Counsel indicated no knowledge of their intent and that technically their appeal does not force us to appeal. However, in the interest of the Town, the Town Counsel feels we should remain current with whatever level of activity they engage in. Mr. Ball asked if the intervenors go, must we go? Town Counsel: Yes, if they get beyond the petition stage we would be assessed defense costs. Q. Do the intervenors pay? Town Counsel: No, we pay - everything. The intervenors and the abortion clinic are both being assisted by other organizations. Dr. Stone did not understand the issue and asked: If the intervenors proceed, do we have to proceed along with them? Town Counsel: No, we do not have an obligation. It is a policy decision. For the best interest of the Town, we are not forced to be carried along.

Transcription of tape of Selectmen's Meeting Sept. 13, 1977:

Sel. McAuliffe: ..to proceed with suggestion #2 and to proceed accordingly in the best interest of the Town of Southborough if at a later date we decide that we wish to drop that other case or if in fact we get to a point where the Supreme Court says go ahead this case merits going to the U. S. Supreme Court at that time a Warrant Article could be inserted into the Annual Town Meeting and at that time the people of the Town of Southborough could decide whether in fact they wish to proceed or not to proceed. Therefore the expense somewhere in the vicinity of \$10,000 I would like to tell Town Counsel to go ahead and to spend the additional \$500 to \$1,000 and see where it brings us.

Chm. Bartolini: I'll second your motion because I want to discuss it. Okay? I would concur with Tom if the probability was greater than $1\frac{1}{2}\%$. And all of what Counsel has told us is most cases (95%) are turned down. I don't feel the Town should go any further, but then again - look at the other side of the coin. We still have some interveners and if they choose to go further, we still have an opportunity to join them. If they go to that one case, the suggested #2 point you're talking about, Tom, and then if they are accepted at that level perhaps at that time the Town could make a decision to join them. But I don't see any practical reason to go the distance at this point for the simple reason of the $96\frac{1}{2}\%$ rejections so far in most cases of this nature. Would you care to say anything?

Sel. O'Connell: Yes, I would like to make several comments. I have spent some time reviewing the decision. I have mentioned when some people ask me about the case for my reaction, I said that one of the points that I thought was interesting in the case

Transcription of tape (continued):

was the position of the court on the question of whether a Town could restrict or control the types of uses of property within the Town to the extent that a large number of people wanted to control them. When the matter came before the Planning Board and we made a recommendation to the Town Meeting, we recommended in favor of the Article to prohibit clinics on the basis that a large number of people in the Town had expressed a strong position on the issue and there was virtually no opposition. The court has made it clear that the will of the majority is not going to control on this type of an issue. And one of the things which troubles me on that point is that I don't think it was just a question of Southborough saying we want to have uses in Town which we want and we want to keep out what we don't want. I think one of the elements was that we were talking about a use of property which a number of people felt was more appropriate in a more urban area than Southborough and in a location that was physically proximate to a substantial hospital. But the court has addressed all of these points and concluded that the proper operation of an abortion clinic is one which is subject to the State Department of Public Health and controllable by them. I think a number of people in the Town have been concerned and were concerned at the Town Meeting that if they did not support the Article to expend monies to oppose the abortion clinic that in some sense they would be deemed to have condoned the concept of abortions. As a result, the Town did expend substantial monies and carried the case through the State's highest court. I know it's in tonight's South Middlesex News that the Town of Seekonk had a similar Article before it to in effect prevent or prohibit the location of abortion clinics within that town and as a result of our decision, the Article was withdrawn and they indicated that in place of that the town was going to consider a resolution expressing the Town's feelings in opposition to abortion clinics. My feeling in rating the case and in hearing what has been said tonight is that it is not practical to appeal further. I think the question is do we appeal to the U. S. Supreme Court or not and not do we spend \$1,000 to hope that we might get to the Supreme Court. That still does leave it to those people who are most vitally concerned about the issue and there is a substantial number of people in the Town, those people who did intervene in the case, who do feel strongly to pursue the case if they wish. And lastly, the other tack which is a minor one, which we could consider and which the court suggests, would be to adopt some zoning provisions with respect to clinics which the court would accept as being more reasonable. For example, to limit abortion clinics to certain areas, such as business areas and I think that would be one thing at a minimum that we might consider for the next Town Meeting.

Selectman McAuliffe: Well, again I still feel very strongly that we have come a long way. We have spent a lot of money, I think, for the additional amount of money that is being requested here, I think we're making a mistake by quitting. If the vote so comes that we do not pursue this avenue that we're making a major mistake. I think that this affects the whole town. I think that

Transcription of Tape (continued):

the whole town has the responsibility in the legal cost of this if in fact we are fortunate enough to be heard by the U. S. Supreme Court and for the amount of money that's involved, I would at once prefer to get a final no from the State and the Supreme Court saying that this case does not warrant hearings by the U. S. Supreme Court.

Chm. Bartolini: Any more discussion? Want to discuss it any further? I'll call for the motion. The motion is as read - whether we go ahead to the U. S. Supreme Court, a yes vote is go, a no vote is we do not. All in favor of the motion as made by Thomas McAuliffe, say aye. Selectman McAuliffe: Aye.

Chairman Bartolini: Nay. Selectman O'Connell: Nay. The nays carried. So be it.

(end of transcription of tape)

10:12 p.m. Selectmen met with the entire Planning Board: Paul Brefka, Chairman, members Donald Dillman, Lawrence Kimball, Patricia Capone and Margit Donath; Town Counsel Busconi, Highway Supt. John Boland, to discuss the contract of Universal Engineering, the update. Chairman Brefka

indicated the discussion between himself, Mr. Boland, Mr. Zampine of Universal and Sel. McAuliffe set reasonable standards for the work to be done by Mr. Zampine of Universal Wednesday of last week. Mr. Brefka expects the information available by Sept. 20, 1977. The Board of Selectmen signed the work order executed between the Town and Universal Engineering. Sel. O'Connell refrained from signing this document or joining in the discussion on the Industrial Park because of a potential conflict of interest. Sel. McAuliffe proposed calling a Special Town Meeting to accept Bantry Road and to repair it. He asked that if the Board were to call such a meeting, would the Planning Board support such an Article for acceptance of the street and an Article for the money? Ch. of Plan. Bd. Brefka indicated that no vote was taken now. He felt that this was a dangerous precedent for any Planning Board. It would leave it open for future work for other subdivisions to do the same thing. If such a thing is proposed, we must tell the people what it costs in total and we must realize that the people of Bantry Road may ask for the maximum road. Mr. Kimball stated that he did not believe that the rest of the Town should use public money for private problems and that he preferred to disassociate himself from this entire issue. He would not offer an opinion until the Town Meeting. Sel. McAuliffe indicated that he was not willing to waste \$2,000 to call a Special Town Meeting if the Planning Board would vote in the negative. Sel. O'Connell stated that some day we were going to get the \$10,000; some day we are going to accept the road; some day we are going to have to fix it; and it is getting progressively worse; we should take action now and not waste time. Mr. Kimball stated that this is a dangerous precedent and would end up fixing up all private roads all over town. Sel. O'Connell again stated that the only way to solve this problem this year is a Special Town Meeting. Very little time remains. It takes a certain amount of time to process the acceptance of a street. We simply cannot expect that it will be done in time for the Winter closing of hot top plants unless we take immediate action.

Mr. Brefka stated that we must ask for the total amount of money. These people have that coming to them or at least it must be the Town that decides. Mr. Kimball doubted that the Town Hall crowd could do it, could get this measure through the Town Meeting.

10:55 pm to THUG members Brefka and Boland met with the Board of
10:58 pm Selectmen asking them to throw out the old bid of
Peter Marshall and Bruce Smith of Westborough for the
exterior chemical cleaning, painting, repointing and weather-
sealing of the Town Hall (in the amount of \$5,720) as requested by
Bruce H. Smith, Partner, dated September 6, 1977. Board noted
letter of 9/6/77 from Marshall and Smith which stated they had made
a substantial error in their bid and will be unable to complete the
work as specified for the price submitted. The Board of Selectmen
VOTED to permit Marshall and Smith to withdraw said bid.

The Board then VOTED unanimously, upon recommendation of the Town Hall Users Group (THUG), to award the exterior chemical cleaning, painting, and repointing contract, including weathersealing, for the Town Hall to the firm of Frank DiCenzo & Sons, Inc. of 25 Valley Rd., Medford, for a total bid price of \$7,100. This includes Alternate No. 1.

The above two votes were moved by Sel. McAuliffe, seconded by Sel. O'Connell and voted unanimously.

LICENSES

Selectmen signed two permits to allow Commonwealth Gas Co. to open two roads as follows: (1) Parkerville Road, near Clifford St. from 9/19/77 to 10/24/77 for the purpose of installing a new gas service into 40 Clifford St., and (2) Cordaville Rd. from 9/5/77 to 9/19/77 for the purpose of installing a new gas service into #271.

ZONING

Letter is to go to Edward Ginsberg, Supt. of Sudbury Div. of MDC re the release of covenants, Partridge Hill Subdiv., expressing the Board's appreciation for the immediate cooperation of the MDC regarding its inspection, recommendations and final oral approval of the work at the two easements located at or adjacent to Partridge Hill Drive and White Bagley Road and Latisquama Road and White Bagley Rd. The Board appreciates the verbal approval of the work but would appreciate a written approval from the MDC to effectuate a written release of the covenants by the Southborough Plan. Bd. CC Town Counsel Busconi, Paul Brefka (Plan. Bd. Chairman) and Elliot Beresen, Atty of Framingham.

TOWN BOARDS

Legal

Letter is to go to Board of Water Commissioners re Selectmen's unan. vote to allow the Commissioners to use the services of Town Counsel Busconi re the issues of (1) Fairview Hill Tank Lot, (2) MDC agreement for new pumping station at Shaft #3, and (3) Marlboro Rd. and Wolfpen Subdiv. Town Counsel will meet with the Commissioners Tues. 9/20/77 at 7:45 p.m. at the WaterDept. office.

Legal - Decision from Supreme Judicial Court, dated September 8, 1977 (Case # SJC-844) Framingham Clinic, Inc. and others vs. Bd. of Selectmen and another. SJC said By-Law banning abortion clinics was unconstitutional.

Letter is to go to Advisory Committee c/o G. McClelland, Ch. re unemployment coverage for government workers beginning Jan. 1, 1978. The State and Federal funding will be available during the first 6 months until the new budget begins and therefore this fiscal year is not involved. However, it is still a program which should be watched as legislation goes through the General Court of the Commonwealth of MA.

Letter is to go to Conservation Commission c/o I. Tufts, Ch., re the possibility of updating the comprehensive plan utilizing the services of Larry Susskind. The Board strongly supports his concept unanimously. Prior to making any sort of funding request, the Board would wish to discuss this matter further with the Conservation Com. as well as with the Plan. Bd. and Mr. Susskind.

TOWN DEPARTMENTS

Aug. 25, 1977 letter from Attorney Robert Capobianco to Attorney Frederick Busconi, re Data General Corp. renovations, stating that Data General is giving permission to Building Inspector Phaneuf to inspect the renovations going on at their Southborough facility. Ins. Phaneuf should call first prior to his visit due to security problems. CC Bldg. Insp. Phaneuf.

Highway Dept. Contract and specifications for sodium chloride invitation for sealed bids for the Towns of Acton, Boxborough, Concord, Hudson, Lincoln, Littleton, Marlborough, Maynard, Southborough, Stow, and Sudbury. Bids to be opened 9/26/77 at 10:30 a.m. in Acton.

Sept. 1 correspondence from Div. of Employment Security to Town of Southborough Police Dept. acknowledging receipt of information sent re claim filed on 7/1/77 by Richard W. Long (S.S.A.#026-38-8498), which stated that they are not sending a notice of action taken at this time due to the objection not being returned within the time limit provided by Section 38(b) of the MA. Empl. Security Law and therefore cannot be considered a party to further proceedings re the allowance of this claim.

Police. Sept. 8 letter from the Claims Dept. of Intnat'l Surplus Lines Ins. Co. re their policyholder Richard W. Long, stating that based upon a preliminary review of the matter, it appears as there are definite questions of coverage in this matter. The company needs the narrative report from Town Counsel Busconi before fully evaluating this claim.

Highway. Sept. 9 letter from Town Coordinator Earle W. Chase, Jr., Westborough, regarding the proposed truck exclusion along Southville Rd. Westborough Bd. of Selectmen supports the proposal but would like to "hedge a smidgen and reserve our unqualified support until we can review the final application".

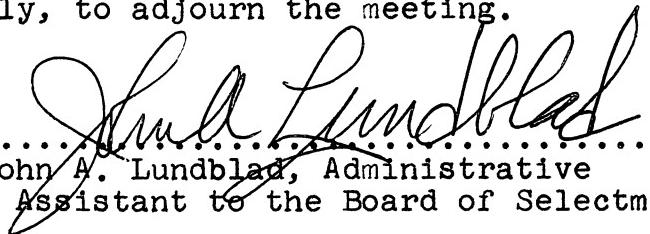
COMPLAINTS

Sept. 6 letter from William F. Wiggin, V. P BayBank-Newton-Waltham re old mill property at 15 River Street, informing the Board that the dam has been repaired after conferring with the State DPW and the receipt of permission from Willis Regan and Mr. Rochford of that dept. to install the steel plate in front of the dam. The Maint. Dept. of the Bank will look at the pond to determine if a section of the top edge of the steel plate should be cut out as it might be too high due to the fact that it was installed when there was no water in the pond. If there are further problems, the dam will be removed as was suggested by the men from the State Div. of Waterways.

STATE AGENCIES

Sept. 12, 1977 copy of Application for Permit from Data General to State DPW, Worcester, for permission to install by "Open Cut" excavation two 24" diameter reinforced concrete pipe sleeves in Rt. 9.

11:35 p.m. VOTED: unanimously, to adjourn the meeting.


John A. Lundblad, Administrative
Assistant to the Board of Selectmen

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

September 20, 1977

7:30 p.m. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Admin. Assistant John A. Lundblad, members of the press and interested citizens.

8:15 p.m. Bids were opened for the landscaping for the Town Hall renovation project. Paul Brefka, Chairman of the Town Hall Users Group was present. One bid was received: from Areollo, Inc. of Holden, Mass. for \$7,323. Mr. Brefka asked if the bid had to be accepted and the Board indicated that it could be rejected and re-bid but it must be advertised again. Mr. Brefka indicated he would discuss this with his committee and notify the Selectmen as to what they wished to do. They had expected it to cost slightly over \$2,000. Obviously, they do not have sufficient funds for this. Sel. O'Connell moved that the bids be taken under advisement. Motion was seconded by Sel. McAuliffe and voted unanimously by voice vote.

Sel. McAuliffe reported on a meeting he had with the School Committee and residents of Gilmore Rd. indicating that the Selectmen would erect a strobe light similar to the one at Flagg and Deerfoot Rds. to slow down traffic. A memo is to go to the Highway Supt. and Police Chief to coordinate direction of this light.

8:30 p.m. Selectmen drew two jurors for the October Traverse Jury in Worcester. This was done in the presence of Town Clerk Paul Berry. Drawn for jury duty were: (1) Anna Ramelli of 19 School St. and (2) Zillah Clark of 21 John St.

8:40 p.m. Town Hall Renovation Group (THUG), represented by their to Chairman Paul Brefka, met with the Selectmen and the 9:00 p.m. Administrative Secretary to the Assessors - Betty Davis, Town Clerk Paul Berry and Town Collector/Treasurer Ruth Johnson to discuss the microfilming of records. Mr. Brefka gave a brief description of the program that was anticipated, primarily for the purpose of eliminating unnecessary paperwork. Mrs. Davis indicated the Assessors had already classified their documents as per the directive by the Secretary of State and cleared out the documents they did not need. The other departments would have to do the same and if they wished to keep the information but not necessarily the original, then it could be microfilmed. Sel. O'Connell asked why we were undertaking the program. Mr. Brefka indicated primarily we have the opportunity now to pull all these aside before we move back and put them into cabinets, never to be seen again, and we can also throw away the originals and save space. Admin. Assistant is to notify department heads of this program and ask them to assess the number of sheets they will need microfilmed, since this is computed directly into frames which is the basic unit cost for this program. Mr. Berry indicated there are three firms in Massachusetts who do this and it would be very easy to get price quotations.

9:10 p.m. Meeting with Planning Board members: L. Kimball, M. Donath, to P. Capone, P. Brefka (Chairman) and 20 residents of Bantry 11:00 pm. Road to discuss the multiple bonding problem of this area. (Note: Selectman O'Connell did not participate in the Industrial Park bond discussions or negotiations.) Town Counsel

Busconi gave a brief presentation noting that a report has been received from Universal Engineering, and the dollar amount for the substantial completion was \$47,000. He felt that by next Tuesday evening we should be able to determine whether or not the contractor and the bond company would be willing to negotiate. If they indicated they were not, then suit would be filed on Wednesday.

Ch. Bartolini indicated that a Civil suit would take a long time and that if negotiations are at all possible, we should pursue that. Town Counsel Busconi indicated that it would take 24 months, if we are lucky, to get an answer on the Civil case. Town Counsel indicated that Bantry Rd. should be easier to adjudicate since Mr. Caterino has a better chance to appeal any lower court decisions on the Industrial Park bond. Mr. Conti of 6 Blackthorn Dr. asked whether the two bonds were combined. Sel. O'Connell indicated that the Bantry Rd. was underbonded and the Industrial Park apparently overbonded and by working the two together with the same company and same developer, we might have an option to lower one bond so that we can get the immediate release of the \$10,000 for Bantry. Mr. Busconi read a summary totalling \$47,000. Mr. Conti asked why the bond has not been paid since the developer has forfeited and backed out of his obligation. Mr. Buseoni indicated that most of the time insurance companies do, in fact, pay or do the work themselves or work out some sort of a partial payment with the contractor picking up the remainder of it. In the case of Maryland Casualty and Mr. Caterino, we simply have to get a judgment for the money to be issued. They know that time favors them, that it takes time to get the money out of the courts and, of course, in the long run we will get the Bantry Rd. bond, but we will have to fight harder for the Industrial Park. Maryland Casualty is no longer writing bonds in Massachusetts. They would like to get out of the state. They would like to clear the ledger and move on to other things.

The people from Bantry Rd. asked the Town's position on finishing Bantry Rd. Ch. Bartolini indicated that the Selectmen are willing to call a Special Town Meeting to accept the street, but the Planning Bd. must be willing to support the acceptance motion. Mr. Kimball indicated that he was not willing to make a statement at this time but felt the citizens should petition it for acceptance, call for a Special Town Meeting and put in a money Article. He felt this should not be the Planning Board's initiative. There were questions on the bonding. Mr. Kimball indicated State law does not allow the Planning Bd. to limit only cash bonds on projects but rather gives them sufficient choices of covenants - bonds or cash bonds. While the Planning Bd. may prefer money, it cannot be enforced. In regard to the \$10,000 he indicated that in 1973 or 1974 \$10,000 was decided upon as an adequate bond by the Highway Supt., also because of the former Town Counsel's (Wm. Brewin) ruling that the bond had to be reasonable and could not be exorbitantly high. A procedural question was asked on how the money could be used to fix Bantry Rd. once the money is received. Ch. Bartolini indicated the money is deposited in the Treasury. It then has to be accepted by the Town and then the street has to be accepted. The money has to be appropriated from available funds or from the tax rate.

Sel. O'Connell indicated that we must remember we have two separate bonds, two separate projects, and an unwilling developer and an unwilling bond company. The State law further makes it impossible for

the Town to repair private roads without accepting certain statutes at the Annual, not the Special Town Meetings. Therefore, the only recourse for fixing Bantry Rd. before Winter with municipal action would be to accept the street in its existing condition then call it a public way and begin repairs.

Mr. Boland was asked to make an estimate of the cost. Although he was not present, Ch. Bartolini indicated that figures furnished by Highway Supt. Boland indicated that for \$17,000 a patch job with a first coat and top coat could be worked in, but without any berms. The people from Bantry Rd. asked why not call a Special Town Meeting and appropriate the \$15,000 to \$17,000 because someday the \$10,000 will come in.

The Selectmen again indicated their willingness to do this if (1) the people approve of the level of development of the road which will be substantially less than a new subdivision in town, (2) the Planning Bd. also would approve that concept and support acceptance of the road at the Special Town Meeting, (3) Further, since the Town Meeting costs \$2,000 it should not be called unless there is a consensus between the Boards to support such an Article since there is no other major business coming before this town meeting, (4) Finally, without Planning Board support, the Selectmen can do nothing until an Annual Town Meeting. These four steps were detailed by Sel. O'Connell. He further noted that we will never get more than \$10,000 from Maryland Casualty. The developer will never complete the project and the road continues to deteriorate each year, requiring greater costs to bring it up to a reasonable standard each year.

Planning Bd. Chairman Brefka indicated: (1) the Planning Bd. was responsible to insure that each developer lives up to the standards set by the Planning Bd. Therefore, to support the acceptance of a substandard street would go against the Zoning By-Laws which the Plan. Bd. is assigned to protect. (2) There are other private roads in Town which individuals might decide to use this Bantry Rd. precedent to have their road fixed, and (3) he felt it was the responsibility of the people to bring this to the Town Meeting and to state their case. The Planning Bd., in releasing lots on Bantry Rd. had warned the petitioners that the road was not accepted and may never be accepted. Ch. Bartolini indicated this was also done on Selectmen's permits. Mr. Kimball read the message aloud indicating that letters were sent to all developers working in this area and if the information was not passed on to the home buyer it was not the responsibility of the Town since they have no way of knowing who is going to buy a home until after they have purchased it. In other words, the Selectmen tried to warn the applicants, but too often it went to builders and not purchasers. These warnings began in August, 1975. The people indicated since the taxes were too high in this subdivision as compared to other ones in the immediate area, and since their road continues to depreciate, then their property should also depreciate and they should be given abatements and with that abatement money they will proceed to fix it. Ch. Bartolini indicated they should bring that to the Assessors and together file for abatements.

Ch. Brefka indicated that this issue should be brought to the people at the Annual or a Special Town Meeting, then the Planning Bd. would

state their reasons for not being able to support this. Mr. Brefka indicated that they would try to work with the Town Meeting and examine State laws to determine if we could abolish the use of bonds and/or require the developer to finish the roads prior to issuing building permits. People in the audience requested a position from Planning Bd. in regard to acceptance of this street. Mr. Brefka reiterated his three points above and asked for a recommendation from the Selectmen. They reiterated the position made by Mr. O'Connell earlier in the evening. Mr. Kimball indicated the full board was not present and they should not be forced to make a decision prior to that time. He would make his decision known on the floor of the Town Meeting. Mr. Brefka felt that there was still a hangup on what the \$17,000 would buy. He would not approve a subgrade road and would need substantiation of those figures. Members Capone and Donath concurred with Ch. Brefka. The Planning Bd. then scheduled a meeting for 9/27/77 at 7 p.m. in the Police Station meeting room between residents of Bantry Rd. and the Planning Bd. Highway Supt. Boland and Town Counsel Busconi would also be present. At 9:30 p.m. residents of Bantry Rd. and members of the Planning Bd. would meet with the Selectmen and try to resolve this matter once again.

11:00 p.m. Selectmen took a 10 minute recess.

11:10 p.m. Motion was made by Sel. McAuliffe, seconded by Sel. O'Connell, and unanimously voted by voice vote to appoint Lorraine Keller, 87 Turnpike Road, Southborough, as Representative of the Board of Selectmen to Advisory Board of the Westborough State Hospital for DYS.

Selectmen signed TW #28 for \$20,162.49; TW #29 for \$145,810.41; TW #30 for \$300.00; Revenue Sharing TW #3 for \$2,458.00; and CETA-Title 6 Project TW #4 for \$366.40.

TOWN DEPARTMENTS

A motion was made by Sel. McAuliffe, seconded by Sel. O'Connell, and unanimously, by voice vote, VOTED to award contract for 1978 Police Cruiser to Crown Chrysler-Plymouth, Inc., of Framingham, for \$4,726.00 as per their bid (re 318 C.I.D. engine).

Memo to Highway Supt. asking him to replace "Hidden Driveway" sign near the Kidder Apartments on Main Street. Another memo to Highway Supt. Boland requesting that school signs be erected along Parkerville Rd. to slow down traffic or to regulate traffic in this area. Contact Police Chief Mattioli re locations he has in mind.

Letter to Treasurer/Collector Ruth Johnson informing her that at the Sept. 13 meeting the Board of Selectmen voted unanimously to authorize her to enter what contractual agreement is necessary with the Newton-Waltham/BayBank for this service. Re request that pay rolls be converted from a weekly to bi-weekly basis, the Board suggests that Mrs. Johnson contact each employee and offer them a vote re this matter.

Letter to Leo Pessini, Jr., 5 Ward Rd., responding to his questions concerning the color of Police cruisers in Southborough.

Letter to Highway Supt. Boland asking for his best estimate as to when a capital improvements program, including sidewalks, for Parkerville Rd. near the Finn School, could realistically be expected.

TOWN DEPARTMENTS (cont.)

Board noted 9/19/77 letter from Police Chief Mattioli reporting on traffic conditions on Gilmore Rd. and at this time there are no violations.

Board noted certified letters sent by Building Inspector Phaneuf to (1) Trustees of Penn Central Transp. Co. re 172 Southville Rd., the so-called Southville R. R. Station, ordering them to make it safe, secure or remove said structure, (2) Estate of J. F. Cummings, Sr. c/o Joseph F. Cummings, Jr. re 247 Parkerville Rd. ordering that this property be made safe, secure or to remove said structure.

Building Inspector.

/Selectmen asked Admin. Assistant to investigate ownership of coal sheds off Park St. as Penn Central claims they do not have any ownership responsibility for them.

Selectmen requested legal opinion of Town Counsel as concerns the Partridge Hill releases in order that Mr. Glick can sell property to Mr. and Mrs. Budz for the purpose of constructing a single-family home.

COUNTY

Letter to John O'Toole, Chief Engineer, Worc. Co. Eng. Dept., requesting assistance from this department to solve a problem on Southville Road in the vicinity of the intersection of Woodbury Rd. The problem is a pipe which serves a catch basin/storm drain on this road. It was apparently built over during the expansion of a single-family home. The pipe is exposed running through the basement/garage of this structure. The Board would like to have this pipe removed and redirect the drainage to another part of the system. It is hoped that the County has the original layouts as it was originally a County road. Selectmen requested that Mr. O'Toole contact Highway Supt. Boland re this matter. CC: Highway Supt. Boland, Virginia Giombetti, 94 Southville Rd., and Town Counsel Busconi.

Retirement Board. Letter to Henry Pietrasia inform him that Veterans' benefits are supplement for retirees who have been retired under sections of the law other than the disability section.

ZONING

Board noted a letter dated 9/20/77 from Gerald MacDonald, 8 Upland Rd., Marlboro, stating he would like to lease or purchase land on the corner of Sears and Marlboro Rds. that is owned by Pond Realty. They would like to dispense propane from this property. Letter is to go to Mr. MacDonald informing him that this parcel of property is residentially zoned and that any pre-existing, nonconforming use has long since been abandoned. The business described in Mr. MacDonald's 9/20/77 letter is not permitted in a residential district. Selectmen suggested other areas in Southborough in which he might locate his business. CC: John Rego, Zoning Board of Appeals Chairman.

SITE PLANS

Letter to Richard Guerard of Guerard Survey Co. and Assoc., engineers for Trachte Metal Buildings Co. listing suggestions, corrections and amendments which should be applied to the site plan prior to its final review by the Town. CC: Highway Dept., Planning Bd., Bd. of Health, Water Dept., Conservation Commission, Bldg. Inspector, Natalie Fantony and Earl Smiddy.

TOWN BOARDS

Selectmen signed Change Order No. 2 - Town Hall Renovations, in the amount of \$752.00. CC: Hughes and MacCarthy, Natick; Francis Harvey & Sons, Inc., Worcester; Paul Brefka, THUG Chairman; Town Accountant Elaine Hinckley and Town Clerk Paul Berry.

Letters to Town Counsel Busconi, Town Accountant Hinckley, Historic Celebration Committee members: Walter F. White, Leo Bertonazzi (Co-Chairman), and Dorothy Mauch (Co-Chairman) announcing a second meeting scheduled for Oct. 5 at 10 a.m. in Admin. Assistant's office to close out the Historic Celebration and 250th Anniversary Accounts prior to State audit. Letter to Hamilton Armstrong asking him to bring in all the records he has on this matter.

Board noted a letter which Sel. O'Connell sent to Paul Brefka, Ch. of Planning Bd. confirming the conversation held on Sept. 13 between the Board of Selectmen and members of the Planning Bd. re Bantry Rd.

STATE AGENCIES

Board noted 9/13 letter from Commissioner Carroll, DPW, Boston, re Selectmen's 8/25 letter re improvements to Rt. 9 in the vicinity of Crystal Pond Rd. DPW in Worcester is finalizing the installation plan and is preparing specs for equip. and installation; agreements are being prepared for execution between DPW and the Town ; private property easements are being prepared with DATA GENERAL, owner of Crystal Pond Rd. It is estimated that by the end of October, all agreements and easements will be signed and plans and specs completed so that bids can be advertised for the project.

APPOINTMENTS/RESIGNATIONS

Board noted 9/13 letter from Moderator Swartwood appointing Deborah M. Pearse, 7 Maplecrest Drive, for a three year term to Capital Budget Planning Committee.

VOTED: to adjourn the meeting at 11:42 p.m.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

September 27, 1977

7:30 p.m. Present: Chairman L. J. Bartolini, Sel. T. W. McAuliffe, Sel. P. R. O'Connell, Jr., three citizens, League of Women Voters observer, and members of the press. Admin. Assistant John Lundblad arrived at 7:50 p.m.

8:10 p.m. Selectmen voted to instruct the Admin. Assistant to have some specifications drawn up to begin action culminating in the destruction of the property at 247 Parkerville Rd., known as the Cummings Estate. The Selectmen noted that the letters of notification to Mr. Cummings had been received and that no action had been taken, therefore municipal action was necessitated.

8:15 p.m. Selectmen held a Site Plan Hearing for Ralph Giombetti to for expansion of his office building at 245 Turnpike Rd..

8:55 p.m. (Rt. 9). Present: Tony DeNorscia, tenant of the building, d/b/a Hydro-Heat, Inc.; William Binder, Supt. of the Water Dept.; George Francis, an abutter; Planning Bd. members: Patricia Capone, Lawrence Kimball. Mr. Giombetti outlined the proposed activity. A 30' x 24' addition would be placed on the west side of the existing 24' x 24' structure, and a storage area in the rear 48' x 48' would be constructed in the Spring '78. He mentioned that the septic system was designed for 12 employees and therefore no additional permits would be necessary. He stated he had a curb cut already received from the State Dept. of Public Works. Mr. DeNorscia gave a brief presentation as to the nature of his business which is both wholesale and retail serving as a distribution point for heating products known as Hydro-Heat. Mr. DeNorscia noted that indirect lighting would be placed on the building, that was in direct response from a question from Chairman Bartolini. This was not on the Site Plan but it was noted on plan showing the frontal drawings of the building. Ch. Bartolini asked if flood lighting was going to be used for lighting the parking area. Mr. Giombetti indicated it would, but it was not shown on the plan.

Mr. Binder noted that he had contacted the State Dept. of Public Works and no curb cut had been issued. He further noted that Mr. Giombetti had already illegally filled on the MDPW land where there is a 12 inch water main serving the industrial and commercial properties along this area of Route 9 buried at a six foot depth. Mr. Giombetti has begun to fill over that. If his plan is accurate, Mr. Binder asserts another 15 feet of fill would then lower the water main to 21 feet below grade, which would be totally unacceptable to the Water Dept. Therefore, he stated the Water Commissioners would like the pipe six feet below grade. Whether Mr. Giombetti chooses to raise the pipe or not to fill is his option as long as it is not 6 feet below grade. The Selectmen instructed Mr. Binder that no permits would be issued until a letter was received from the Water Commissioners on this matter.

Mr. Kimball and Mrs. Capone questioned the fact that not all structures within 200 feet were shown on the plan. Mr. Francis, an abutter, was concerned with the flow of water from Rt. 9 from this property through his parcel. The Board of Selectmen noted all of the above comments and

VOTED to take the matter under advisement and instructed Mr. Giombetti that a followup would have to include: (1) a letter from the Board of Health in regard to the septic system's adequacy for this size building, (2) a written proof of a curb cut permit from Mass. DPW., (3) detailed lighting shown on the plan - area lighting or indirect lighting, (4) all buildings within 200 feet, and (5) the pitch of land between the proposed office addition and the Andrea Restaurant from Rt. 9 to the brook.

In addition, Sel. O'Connell questioned the usage and asked for a Town Counsel ruling to determine whether or not the activity anticipated for this location would be acceptable. Finally, the Selectmen indicated to Mr. Giombetti that no permits would be issued until the Board of Water Commissioners was satisfied that the 12" main would not be more than 6 feet below grade.

9:00 p.m. Selectmen met with Roger K. Poole and Joseph F. Prior, Jr., to applicants for a Site Plan Hearing to use 110 Southville Rd.

9:11 p.m. (formerly Fitzgerald's Store) as a used furniture store. Mr.

Prior indicated that it would be a used furniture store and general store with the first floor as a general sales area, second floor for storage. Total building is about 1,300 sq. ft. 30' x 43' building. Retail space on the first floor would be for the sale of used furniture. A sign would be placed above the front porch 2' x 16' -- 32 sq. ft. with two lights on the gas pump would be maintained. Area floodlighting might be added at a later date if it were determined that evening hours were advisable. Sel. McAuliffe made a motion, seconded by Sel. O'Connell, and unanimously, by voice vote, VOTED to accept the Site Plan with the following conditions to be adhered to with filed amendment: (1) that lights be drawn in, (2) that the parking spaces be designated to scale 10' x 20', (3) that the sign be shown on the plan, and (4) that any exterior floodlighting be also shown on the plan.

9:15 p.m. Selectmen met with Paul MacDonald of 4 Bantry Rd., Highway to Supt. Boland, Town Counsel Busconi; Planning Bd. members:

9:31 p.m. Patricia Capone and Lawrence Kimball. Mr. MacDonald indicated that nine families had met earlier this evening with

the Planning Bd. and heard the proposal made by Mr. Kimball. The proposal was basically the following: (1) that at the next Annual Town Meeting street acceptance would be supported by the Selectmen and the Planning Board as is, (2) that money for road completion would be derived from two sources - first, the \$10,000 bond and secondly, from contributions from abutters and residents of the area to make up all additional costs above the \$10,000 bond, (3) that the bond money and the donated money would be put in separate accounts and appropriated by the Annual Town Meeting for purposes of repairing Bantry Road.

Prior to taking a final vote, the nine families request that John Boland submit (1) specifications for work and (2) a detailed cost breakout as soon as possible. The Selectmen AGREED to this. The people felt that since they are putting up their money, they would like the process done through the open bidding laws. The Selectmen informed them that all activity has to be done by that method. Mr. Boland indicated that he could get the information to them within seven days. He said that the \$17,000 cost would be for patching holes, covering the road and putting

a Cape Cod berm on Bantry, the crossover and the end of Tara Road. Mr. Boland felt that this was acceptable to him if it was acceptable to the Planning Bd. and to the Selectmen. Mr. Boland further indicated that if the families wish to begin the patching work now that it would make it much easier to do the remainder of the work in the Spring and much easier to plow it this Winter. In other words, an investment of part of this \$7,000 before the Town Meeting would go much further than the same amount of money after the Winter because this could reduce the erosion.

Sel. O'Connell indicated that Bantry Rd. also needs an as-built plan and bounds and felt that the Town could not do this. Mr. Boland indicated that he would put this in the specs and he would help to work with the families in hiring pavers. He would give the specs to Betty Gober, Jim Murphy and Paul MacDonald as soon as possible. Mr. MacDonald then had a series of questions for the Town Counsel of the status of the \$10,000 bond. First, in regard to the status of the \$10,000, Town Counsel Busconi indicated that letters were hand-carried to all parties involved making certain demands upon the bonds. Secondly, he spoke with Attorney Shockett who was with Mr. Caterino over the weekend. They together were reviewing the figures and perhaps would have a counter offer in the very near future. He indicated that they were not excited about the reduction in the bond for the Industrial Park. They felt that that was still excessive. Attorney Shockett felt the Town should get its \$10,000. However, he would call Attorney Campbell of Maryland Casualty and tell him the same. There was no confirmation that such conversations did in fact come to pass. Town Counsel Busconi indicated that if there was no counter offer or action immediately, then he would begin suit. Mr. MacDonald asked whether or not the \$10,000 would be in the Town coffers by the Town Meeting. Town Counsel Busconi felt he could not say. Mr. MacDonald asked Mr. Kimball the position of the Planning Bd. if the Bantry Rd. homeowners put up the \$7,000 in escrow but the \$10,000 has not arrived and there is a reasonable expectation of achieving that money in a reasonable future but it is not there by the Town Meeting. Mr. Kimball expressed support saying that if the money comes from the Bantry Rd. people and we have tried in good faith to get the \$10,000, then this is still the best chance we have and we ought to try to push to keep it together. This was also the unanimous position of the Board of Selectmen. Mr. MacDonald then asked if the excess sand could be removed from the street. Ch. Bartolini indicated that it be taken under advisement. Mrs. Capone asked if it was just run-off erosion from area lots. Mr. MacDonald indicated, no, it was sand and they were appreciative of having the road plowed and sanded, but now it was a safety hazard. He then asked Town Counsel Busconi how many suits there were on the bonding. Town Counsel indicated two separate suits.

Selectmen signed TW #31 for \$103,037.70; TW #32 for \$3,256.60; CETA-Title 6 Project TW #5 for \$51.58; CETA-Title 6 Project TW #6 for \$444.40; CETA-Title 6 Project TW #7 for \$25.79.

TOWN BOARDS

Selectmen discussed St. Mark's Golf Course proposal and the proposal by Lawrence Susskind and the Conservation Com. for a comprehensive plan.

TOWN BOARDS (cont.)

Letter to Michael Backer, Ch. Personnel Bd. asking them to put in writing the Board's policy re step raises for all departments and any exceptions which might be initiated by the Personnel Bd. because of existing employee contract, etc. CC: Town Accountant Hinckley and E. MacLauchlan, Secretary to Personnel Bd.

Conservation Commission. Board noted Hatch Act Hearing to be held Oct 4 at 8 p.m. on the Notice of Intent filed by Southborough Rural Cemetery to repair and increase the height of an existing stone retaining wall within 100 feet of the MDC Reservoir at property located on Cordaville Rd.

COMPLAINTS

Letter to Roger B. Leland answering his Sept. 22 letter again complaining about the condition of the road between Northborough and Southborough - Northborough Road. As this is a rural road, there is a continual program of patching and repairing shoulders as necessary. CC: Highway Supt. Boland, Police Chief Mattioli with a copy of Mr. Leland's letter.

TOWN DEPARTMENTS

Memo to Highway Supt. Boland requesting that he erect a strobe light on Gilmore Rd. at the most advantageous location similar to the one on Flagg and Deerfoot Roads.

Memos to Bldg. Inspector Edgar Phaneuf and Highway Supt. Boland requesting they submit as soon as possible a detailed specifications for the project of putting out to bid the demolition of the Cummings property on Parkerville Rd.

Legal. Board noted hand-delivered letter dated and received Sept. 21 from Town Counsel Busconi to Murray Shocket, Esq. re Cosmo-Linsey Industrial Park Subdivision cost estimate for completion. Cost estimates were enclosed. Universal Eng. Corp. informed Town Counsel that it would cost Mr. Caterino \$47,000 to complete the work in strict accordance with the subdivision plans and specs. if completed in 1977. Town Counsel will commence suit during the week of the 26th of Sept. if he does not reach an equitable solution. CC: John Campbell, Attorney for Maryland Casualty Co.; the Planning Board and the Board of Selectmen.

ZONING

Letter to Allen Glick re his Sept. 26 letter requesting permission to build two additional garage bays at his house at 15 Crestview Drive. Selectmen will ask the opinion of Town Counsel Busconi as concerns this use in a residential B District.

COMPLAINTS (cont.)

Memo to Highway Supt. Boland enclosing copies of speed letters from Police Chief Mattioli re traffic problems on East Main St. and Gilmore Rd. The Selectmen support the Chief's recommendations and request that he implement them for both locations as soon as possible. The Chief recommended Thickly Settled Signs on easterly end and westerly end of E. Main St.; and for Gilmore Rd., a regulatory speed sign for the curve and crest by Capello's (20 m.p.h.) and Thickly Settled signs

at beginning of Gilmore Rd. at Parkerville Rd.

Board noted Sept. 23 letter from Able Realty Assoc. stating that the present condition of Bantry Rd. is hampering them in their job of selling the Elias home. The road condition will affect the price obtained for this home. They would like this matter brought to the attention of the Planning Bd. at its meeting of Sept. 27.

STATE AGENCIES

Letter to Commissioner John Carroll, DPW, Boston, re his Aug. 10 letter to local Boards of Selectmen. Selectmen request the preliminary guidelines for eligibility under the Salt Storage Shed Bonding Program.

9:52 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Ass't

jal/mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

October 4, 1977

7:30 p.m. Present: Ch. Louis J. Bartolini, Sel. T. W. McAuliffe, and Sel. P. R. O'Connell, Jr., Admin. Ass't J. A. Lundblad, two citizens, three members of the press.

8:00 p.m. Selectmen decided to hold action against the Cummings property pending its imminent sale, granted in effect a 30 and a 28 day extension to run in consecutive order, 28 days for the purchase of the property and 30 days to complete work thereon.

8:15 p.m. Selectmen held a Public Hearing on a request for an all-to alcoholic pouring license for the Shangri La Restaurant,

8:30 p.m. John F. Mari, owner, 104 Turnpike Road. Present:

Mr. Mari and his attorney Nicholas Aiello. Mr. Mari gave a brief presentation showing a hand-drawn schematic plan and mentioned he intends to lease the property. He would offer light lunches, sandwiches with liquor, quiet entertainment, a family establishment, seating approximately 80 people, 4 to 5 employees and parking for about 100 cars. He produced a lease that was not signed and was in the name of Mr. Demers. This was reviewed by the Board. He indicated he would be sole owner. Ch. Bartolini asked if there were any other partners. He indicated in the negative. Ch. Bartolini asked for proof of citizenship. He did not have it with him indicating that he was born in Italy in 1955 and he was a naturalized US citizen. The Selectmen asked the size of the curb cut and whether or not a commercial curb cut was received by the State Dept. of Public Works. None was received. Ch. Bartolini asked of Mr. Aiello or Mr. Mari whether they had discussed the matter with the Board of Health. They indicated they had not. Ch. Bartolini asked for a list of the abutters. That was not presented. Mr. Aiello indicated that Mr. Mari would be spending between \$15,000 and \$20,000 on interior renovations and that the restaurant would be a nice family type operation. Sel. O'Connell asked how many licenses were there in the area. Admin. Assistant Lundblad indicated the VIP Lounge, Olde Salt, Hong Chow, White's Corner, and Andrea Restaurant - in effect, three within a few hundred yards of each other and perhaps another a couple hundred yards down the road. Mr. Aiello indicated this would not be a restaurant, but a light lunch and liquor establishment. Sel. O'Connell indicated that he does not want to see Southborough become a watering spot for the area, restaurants and bars. Ch. Bartolini asked if they had monitored traffic to determine if there was sufficient demand for such an activity at this location. They indicated they had not. They are just taking a chance. They had no idea what the traffic would be. Ch. Bartolini indicated that this property was in tax title and asked if they were aware of that fact. They indicated in the negative. Sel. McAuliffe made a motion, seconded by Sel. O'Connell, and it was a unanimous voice VOTE to take this request under advisement. Attorney Aiello, Mr. Mari, and a third unidentified gentlemen left at 8:30 p.m.

After a discussion between Acting Ch. McAuliffe and Sel. O'Connell, Sel. O'Connell made the following Motion, seconded by Ch. McAuliffe, and a unanimous voice VOTE:

"I move that we vote to deny the application of John F. Mari, Manager d/b/a Shangri La for the following reasons: First, because we feel that there are enough pouring licenses in the immediate area at the present time. We note the fact that there are four licenses, specifically those with respect to the Hong Chow, White's Corner, Andrea and the VIP Lounge or its successor. Also, secondly, we deny the application in view of the failure to comply with procedural requirements as cited in the Admin. Assistant's memo and also noting that we have no binding option of lease but merely an unsigned copy of the same and that option lists as a potential lessee Donald Demers who is not the applicant."

Sel. Bartolini had stepped down and was not present during the deliberation, fact finding, or decision and did not vote on the above matter of license request for 104 Turnpike Rd. Acting Chairman McAuliffe held the proceedings during those discussions.

8:50 p.m. Selectmen met with Treasurer/Collector Ruth Johnson and to Paul Berry, Town Clerk, to discuss issues concerning the 9:00 p.m. renovation of the Town Hall. First, microfilming - Mrs. Johnson indicated that the commitment sheets would be between 5,000 and 10,000 frames and employee earnings 15,000 frames. These are necessary for the guaranteeing of the permanence of records in the case of records being lost or destroyed. Second - a Class A safe which would be able to resist fire for 4 hours. Estimated cost was around \$1,500 delivered between 15 and 18 sq. ft. She would keep all negotiables, present cash books, blank checks, checkwriters, and passbooks in this secured safe.

Meeting was interrupted from 9:00 p.m. to 9:27 p.m. for a Bid Opening for the landscaping bids.

9:00 p.m. Bid Opening(Number 2) of landscaping bids for Town Hall to renovation project. Legal Ad was read aloud by Chairman 9:27 p.m. Bartolini.

Bid #1 from Arezzo, Inc., 94 Wachusett St., Holden \$7,323.00

Bid #2 from Bigelow Nurseries, Inc., 455 West Main Street, Northborough.....\$13,900.00

Bid #3 from Mo-Del Landscape, Inc., 1127 Worc. Rd.\$ 5,740.00

Discussion followed and it was duly VOTED to take the above bids under advisement. Ch. Bartolini indicated that he had received a complaint about the unavailability of the specs.

9:27 p.m. Selectmen returned to the discussion with Mrs. Johnson and Mr. to Berry. Third, the vault. Mr. Berry felt that it was inadequate and that even with microfilming, there still would be a great inadequacy of safe storage space for records. He indicated that it might be possible to have a dead-space vault built in the basement after the building had been renovated. Fourth, security in first floor area. He felt that this was a security problem and a very difficult situation for carrying out normal business. Finally, both Mr. Berry and Mrs. Johnson requested the Selectmen to look into the possibility of having glass partitions set up both between the public

and the employees as well as between departments.

Selectmen then discussed the lists for Patrolman appointment. Ch. asked that Admin. Assistant schedule appointments for interviews for Wednesday, October 19, 1977.

Ch. Bartolini indicated that they should meet immediately with the Personnel Board and the Advisory Committee to insure that Mrs. Hinckley's part-time help be approved.

Selectmen signed TW #33 for \$800,000.00; TW #34 for \$22,242.01; TW #35 for \$19,934.09; CETA-Title 6 Project TW #8 for \$43.77; CETA-Title 6 Project TW #9 for \$727.44; and Revenue Sharing TW #4 for \$577.50.

TOWN BOARDS

Planning Bd. Memos to Town Counsel Busconi, Highway Supt. Boland, Bldg. Inspector Phaneuf re Southborough Farms Subdivision informing them that the road work has not been completed nor even begun as per agreement with Paul Fantoni/Goodman Co. who assumed Mr. Caterino's bond re Fairview Drive. They promised to do some road work by Oct. 15, 1977 and have not done any work at all.

Zoning Board of Appeals. Letter to Allen Glick informing him that the Selectmen reviewed Town Counsel's opinion dated 10/4/77 and therefore denied his request for a Building Permit for the construction of an additional three days to his present two-bay garage at 15 Crestview Drive. See Section IV, subsection (f) of Zoning By-Law. This is appealable to the ZBA. That Board has the right to grant Special Permits in cases such as this. CC: Town Counsel Busconi and John Rego, Chairman of Zoning Board of Appeals.

Planning Bd. Board noted Oct. 4 letter from Highway Supt. Boland re completion of Fiddlers Green Subdivision giving the breakdown on what is the basic minimum required to make the streets within the subdivision safe and passable for the general public. Streets included were: Bantry Rd., Tara Rd. and Blackthorn Drive. Total: \$17,045.00.

FEDERAL FUNDING

Letter to Marvin Siflinger, Acting Director, HUD, requesting information as concerns the preapplication process balance of state discretionary funds under the Community Development Block Grant Program of HUD. CC: Louise Buchanan in Congressman Early's office in Washington.

COMPLAINTS

Letter to Mrs. Betty Gober, Paul MacDonald and James Murphy enclosing a copy of the street acceptance procedure (re Bantry Rd.)

Memoto Police Chief Mattioli re a complaint received from James Smith of 153 Southville Rd. re a problem with his neighbors at 151 Southville Rd. such as excessive noise and motorcycles travelling over his lawn and other property. Selectmen would like this complaint investigated. Also, to be investigated is complaint that there are a number of unregistered vehicles in excess of the By-Law being kept on this property.

APPOINTMENTS/RESIGNATIONS

Board noted letter dated Sept. 29 from Scott P. McCobb stating that he will be leaving his job of Police Dept. Civilian Dispatcher as of October 14, 1977. Letter to Police Chief Mattioli stating that the Selectmen would like to fill this vacancy as soon as possible. It is suggested that notification of this vacancy be posted on Police Dept. bulletin board detailing the opening and stating that this position will not be advertised for two weeks allowing dept. personnel - Reserves and Auxiliaries - to apply for the job first.

LICENSES

Selectmen granted a one-day Special Permit to Pine Hill Riding Center, 29 Pine Hill Road, to sell wine and beer at a horse show to be held on October 10 from 10 a.m. to 7 p.m.

TOWN DEPARTMENTS

Letters to Fire Dept. Captain Frank Aspinwall, Highway Supt. Boland and Bldg. Insp. Phaneuf asking them to investigate the barn at the former Cummings Estate at 247 Parkerville Rd. which has just collapsed. This investigation should insure that the remainder of the building is not about to imminently collapse because of this other deterioration.

Letter to Ronald A. Bloom, President, East Bridgewater Assoc. returning his check for \$3,000 which accompanied his bid for the Hauling and Disposal Contract. CC: Highway Supt. Boland.

STATE AGENCIES

MDC. Board noted Sept. 27 letter from MDC stating that on Sept. 7 a final inspection was made on the work performed at Partridge Hill Subdivision and all work was found to have been completed in accordance with the terms of Agreement of 10/10/63 between MDC and G. Arnold Haynes, Inc.

DPW. Board noted letter dated 9/27 from Data General to Robert Shea, DPW, Worcester, enclosing an additional copy of plan of Data General's property at the intersection of Crystal Pond Rd. and Turnpike Rd.

DPW. Board noted 9/26 letter from Commissioner John Carroll, DPW, Boston, to J. Bradley Stroup of Data General re Rt. 9/Crystal Pond Rd. traffic signal stating that DPW letter of 9/13 addressed to Louis J. Bartolini, Chairman of Southborough Board of Selectmen, explains the status of the project.

10:50 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, Oct. 11, 1977

7:30 pm. Present: Ch. L.J. Bartolini, Sel. T. McAuliffe, Admin. Assistant J. A. Lundblad. (Sel. O'Connell absent)

No appointments this evening.

Selectmen signed two one-day Special Licenses: (1) Lincoln Square Club, at St. Anne's Hall, November 5, 1977 and (2) David J. Dockstader, Pres., Fireman's Harvest Ball, Reinke Building, Fay School, October 15, 1977.

Selectmen authorized the use of the services of Town Counsel F. A. Busconi by the Cemetery Commissioners for legal guidance and the interpretation of Chapter 272, Section 10A, An Act Relative to the Ownership of Certain Unclaimed Graves in Municipal Cemeteries.

Selectmen further offered the services of the Town Counsel to the Southborough Historical Commission for review of their Legal Ad for the printing of the Town History.

Selectmen signed Approval of Location of Chapter 180 Non-Profit Corp. regarding Gun Owners' Action League, Inc. located at 11 Main St., which is to be returned to the Secretary of State.

Selectmen signed TW #36 in the amount of \$129,178.61.

Selectmen signed TW #37 in the amount of \$ 3,527.17.

Selectmen signed CETA Title 6 Project TW #10 in the amount of \$719.32.

Selectmen signed CETA Title 6 Project TW #11 in the amount of \$ 72.69.

Selectmen signed Revenue Sharing TW #5 in the amount of \$3,351.85.

SITE PLAN

Letter to J. Bradley Stroup, Data General, re his Oct. 11 letter concerning the construction of the 32' x 14' structure to house the uninterrupted power supply for a computer room at Data General. The Board reviewed this request and consider it part of the original site plan approved by this Board at its June 14, 1977 meeting. No additional site plan hearing is necessary for the construction of this addition. Bldg. Insp. shall be instructed to issue a Permit as soon as possible. CC: Bldg. Insp. Phaneuf.

SPECIAL PROJECTS

Letter to William Mulford, Dir. of Planning and Community Development, Worc. asking him to send examples of packaging development sites such as the Denholms project or perhaps some examples from WRA. This is in relation to the disposal of a prime commercial site in the center of Southborough and a legal ad and prospectus being put together for the disposal of this property.

ZONING

Letter to John Rego, Ch. Zoning Board of Appeals regarding the Variance which was granted to Stongate Realty Trust, Fitts Brothers, for their driveway on Middle Road (corner of Turnpike Rd.) which contains a clause requiring a buffering of their industrial use with the abutters, Mr. and Mrs. Albert Phillips, 145 Middle Rd. This would cause serious hardship for the Phillips family as large trees could deny Mr. Phillips access to back lands he needs for his agricultural activities. It is requested that the ZBA contact Mr. Phillips and Mr. Fitts to work out some sort of a written understanding between these two parties as to the implementation of this Variance. CC: Town Counsel Busconi and Mr. and Mrs. Phillips.

REGIONAL AGENCIES

Letter to Joseph McGinn, MAPC, Boston, requesting a copy of the executed document "Memorandum of Understanding by and Between the Central Mass. Regional Planning Commission and the Metropolitan Area Planning Council Relating to Areawide Water Quality Management Planning in the Assabet River Basin".

FEDERAL FUNDING

Letter to Paula Draper, Director of "Drop-In Center", re a new CETA funding program for youth employment and training proposals under Title III of the CETA Program. The Town is not going to file since it recently received a Title VI grant and has other CETA programs ongoing through the Public Service Employment Act.

STATE FUNDING

Board noted Sept. 30 letter from State Dept. of Community Affairs, acknowledging receipt of our application for technical assistance for the current round of in-depth projects. The OLA staff will evaluate this application and if it meets the criteria set forth in the application packing, Southborough will be notified as to the status of this application.

LICENSES

Letter to Barbar Cowles giving permission for the 10 mile Walk for Hunger to be held on Sunday, October 16, beginning at 12:30 p.m. starting at Pilgrim Church. Police and Fire Departments should be contacted regarding the parade route, to be informed in the event of any emergencies which might arise. CC: Police Sgt. Philip Connors and Fire Capt. Frank Aspinwall.

TOWN BOARDS

Selectmen signed approval of a termination agreement dated 10/7/77 addressed to Harold R. Norquist from Southborough Fire Station Building Committee, stating that in accordance with Art. 7, paragraph 7.1, of the terms and conditions attached to the Town's agreement dated July 1977, agreement is terminated seven days from delivery to Mr. Norquist of this notice-namely, October 14, 1977. Document was signed by Herbert L. Cobb for the Fire Station Building Committee, approved by Selectmen. Document was received by Harold R. Norquist 10/7/77.

Memo to Town Accountant Elaine Hinckley re her correspondence to the Personnel Board dated Oct. 6 giving a basis job description for bookkeeper. Mr. Backer, Ch. of Personnel Bd., advised that he sees no problem in the Personnel Boards' affirmative action on this matter at its Oct. 11 meeting. Once it has been established that the position of bookkeeper is grade 6, then Mrs. Hinckley's applicant, if a new applicant is sought, or her employee, as Mrs. Kellerher or Mrs. Thompson, is to be upgraded to this position at whatever step is deemed appropriate by Mrs. Hinckley and the Personnel Board.

Letter to Paul Brefka, Ch., Town Hall Users Group, acknowledging correspondence dated Oct. 11 re four change orders of the General Contractor and the Town Hall renovation project. Ch. Bartolini and Sel. McAuliffe approved the change orders as noted in that correspondence. Once the Change Order documents are prepared by Francis Harvey & Sons and endorsed by Hughes & MacCarthy, THUG and Clerk of the Works Phaneuf, the Board will be able to sign the official document. CC: Clerk of the Works Phaneuf, Town Accountant Hinckley, Town Clerk Berry, John Travers of Hughes & MacCarthy and Jean Bigelow, Secretary to Town Hall Users Group.

TOWN DEPARTMENTS

Letter to Joseph Cummings, Jr., 4 Birchwood Drive, extending his compliance period to coincide with the transfer of ownership of the property at 247 Parkerville Road from the Estate of Joseph Cummings, Sr. to Mr. and Mrs. Glenn Gilman. CC: Town Counsel Busconi and Bldg. Insp. Phaneuf.

Letter to Angelo Baltes, 49 School St., informing him that it is not possible for the Town to purchase another street light for his residence or any other residence or location in Town. There is a substantial waiting list of people who would like street lights. Town Meeting action has repeatedly reaffirmed the Board's position that street lighting is too expensive and no further expansion is warranted.

8:50 pm. Meeting adjourned.

jal/gw.


Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

October 18, 1977

7:30 pm. Present: Ch. L. Bartolini, Sel. O'Connell, Admin. Ass't. J. A. Lundblad and members of the press; Sel. T.W. McAuliffe.

7:30 pm. The Bd. of Selectmen met in the office of Admin. Asst. with to Veronica Cross and interviewed her for the Police Civilian Dispatcher position to fill vacancy due to the resignation of Scott McCobb. Unanimously Voted: to appoint Veronica Cross, 204 Southville Road, Southboro, as Civilian Dispatcher for the Southboro Police Dept. to fill vacancy caused by resignation of Scott McCobb. Selectmen then went into the 2nd floor meeting room and introduced her to the press and announced her appointment.

7:45 pm. Selectmen met with Connie Maida, Clerk to the Town Clerk, and in her presence two jurors were selected: (1) John J. Wawzonek, 39 Woodbury Road, and (2) Marguerite J. Clifford, 195 Parkerville Rd.

8:08 pm. Selectmen discussed the self-insuring possibilities for the Police to False Arrest Policy and noted correspondence from the Town's insurance agency in Maryland and the Town's local agent Gerald Lamy detailing the increases in premium and coverage.

8:10 pm. agency in Maryland and the Town's local agent Gerald Lamy detailing the increases in premium and coverage. Sel. McAuliffe suggested that prior to signing the policy renewal, take one week to review the possibilities of self-insuring and return it for a vote next week.

8:10 pm. Selectmen reviewed the Giombetti site plan, 245 Turnpike Rd., and to reviewed the correspondence from the Health Dept., as well as the

8:15 pm. State Dept. of Public Works as concerns the curb cut. They reviewed the existing plan, the amended plan and suggested that the Administrative Assistant notify the Planning Board that as far as the Selectmen were concerned the document is adequate and the approval given two weeks previous is now in effect. The Bldg. Insp. shall be instructed to issue all necessary permits requested.

8:15 pm. Selectmen met with five residents from Bantry Road and Tara Road. to Spokesman Micheal Steir discussed two primary issues with the Selectmen:

8:25 pm. (1) the residents unanimously concurred to invest \$1,600 to do the patchwork at Bantry Road prior to the onset of Winter. Their first question of the Selectmen was to whom should the money be given. Ch. Bartolini asked whether or not they had selected a contractor. Mr. Steir noted that they would rather use the Town's contractor and have Highway Supt. Boland oversee it. Sel. O'Connell noted that procedurally the format would be something like the following-first, that the residents would contract the E. C. Murray Construction Co., the Town's low bidder, for this activity; (2) Mr. Boland would insure that the work is in compliance with Town's specifications as he does for any subdivision or any other activity with Town Permit. (3) The Town would not contract for this work, (4) The Town could not assume financial responsibility for it because of State statutes strictly prohibiting this activity.

Mr. Steir requested an update on the bond situation. Ch. Bartolini noted that the last meeting to be held on this situation is tomorrow morning between the Town Counsel, Attorney for Mr. Caterino and Attorney for the bonding company. If immediate action is not forthcoming, the Town Counsel is instructed to immediately file suit and continue negotiations if possible. Sel. O'Connell indicated that we are negotiating on the Industrial Park bond-not on the Bantry Road bond. Apparently the two sides have been unable to reach a common figure. Another resident of Bantry Road took exception to a newspaper report previously published saying that "the residents had agreed to come up

with \$7,000." Rather, he indicated that the only agreement between the Bantry Road and Tara Road residents so far is that they will come up with \$1,600 for patching work and this was a unanimous agreement. Further, he noted that they are meeting almost weekly and discussed the \$7,000 but at this time no consensus has been reached.

The Board then discussed a complaint from the Murphy and Harding families concerning parking problems on Park Street. Selectmen instructed Admin. Assistant and Highway Supt. to meet with Mr. Aspesi the owner of Ted's Garage and discuss with him possible ways of eliminating this problem without the town posting no parking signs in the area.

Sel. O'Connell requested that the Admin. Assistant work with the Town Counsel to get a decision immediately as concerns the off-site drainage for the developer of the proposed mini-warehouse complex on Turnpike Rd. (Rt. 9) - Trachte Metal Buildings Co. of Madison, Wisconsin; furthermore, that the Admin. Assistant be prepared at the next meeting to report to the Selectmen- first on the progress made by Trachte in all of the stipulations previously set out by the Planning Board and the Selectmen since the 60-day period was fast approaching in which the Selectmen must take action.

Sel. McAuliffe made a motion, seconded by Sel. O'Connell, and unanimously VOTED: to appoint John Hopkins, 10 Carolyn Terrace, as Deputy Warden for Precinct II to fill the vacancy created by the resignation of Joseph Blake.

Sel. McAuliffe made a motion, seconded by Sel O'Connell, and unanimously VOTED: to appoint Hamilton Armstrong, 15 Flagg Road, to the Council on Aging to fill the vacancy caused by the resignation of Arthur Taylor, Jr.

9:00 pm. Selectmen met with Highway Supt. John Boland for the purpose of discussing the cooperative bids for winter salt. It was Mr. Boland's recommendation, and motion made by Sel. McAuliffe, seconded by Sel. O'Connell, and unanimously VOTED: that the award be given to the low bidder- Eastern Minerals, Inc. of Lowell, Ma.

Sel. O'Connell gave a brief presentation to the press and to the citizens present as concerns the procedures utilized by the Board of Selectmen for the hiring of a Patrolman to fill the vacancy created by the retirement of Henry Pietrasiak.

Selectmen signed TW #38 in the amount of \$457,878.38.

Selectmen signed TW #39 in the amount of \$ 19,637.51.

Selectmen signed TW #40 in the amount of \$ 82.95.

Selectmen signed CETA-Title 6 Project TW #12 in the amount of \$1,140.86.

Selectmen signed CETA-Title 6 Project TW #13 in the amount of 71.48.

Selectmen signed Revenue Sharing TW #6 in the amount of \$1,276.94.

ZONING

Board noted two Zoning Board of Appeals Hearings scheduled for Oct. 31, 1977: (1) 7:30 p.m. on the petition of Allen M. Glick, 15 Crestview Drive, for a variance to permit him to place a garage within four feet of the general northerly boundary of his property line, and (2) 8:30 p.m. on the petition of Trachte Metal Buildings Co. of Wisconsin for a variance to permit them to construct a mini-warehouse complex on the south side of Rt. 9, Fayville.

STATE AGENCIES

Letter to Commissioner Richard E. Kendall, Dept. of Environmental Management, Boston, re his letter of Oct. 12 concerning the Resource Conservation and Recovery Act of 1976. The Board has referred this document to Highway Supt. John Boland for his review. Mr. Kendall is to be informed that Southborough has a Recycling and Refuse Transfer Facility and at this time the Town is not involved with any other town in the Regional Solid Waste System other than planning efforts that have been going on in the Greater Worcester Area. CC: Highway Supt. Boland and Adv. Com. Ch. McClelland.

Board noted Oct. 11 correspondence from State DPW, Boston, re salt shed construction program and noted that Southborough was not listed as a town to be selected for the construction of salt sheds. The list named towns which have a water supply with a sodium content higher than the allowable State standard.

COMPLAINTS

Board noted Oct. 11 letter from Roger B. Leland acknowledging Selectmen's Oct. 6 letter regarding Northborough Road and the heavy traffic occurring on that road and reiterating the fact that he believes that this road is not adequate for school buses and wishes this road made more "safe for the heavy and ever-increasing traffic that this road must bear".

Board noted Oct. 13 petition signed by Joseph K. Murphy, Julia C. Murphy, Helen M. Harding and Philip A. Harding, residents of 2 and 3 Park Street, complaining about a parking problem on Park Street, especially on left-hand side coming in from Main St. It is believed that the cause is Ted's Garage. These residents require a sign "No Parking, Residential Area" to help resolve this problem.

TOWN DEPARTMENTS

Memo to Highway Supt. Boland asking him to investigate a wash-out problem on the shoulder at the island between St. Mark's St. and Rt. 85 where the accident occurred last Spring.

Memo to Town Accountant Elaine Hinckley, copy to Town Clerk Berry, enclosing a copy of Regional Contract for Sodium Chloride for the 1977-1978 season. Contract was awarded to Eastern Minerals, Inc. of Lowell, Ma. Letter to Eastern Minerals, Inc. CC: Highway Supt. Boland, Town Accountant Hinckley and Town Clerk Berry.

Memo to Town Counsel Busconi and Town Accountant Hinckley re nuisance claims either for potholes or for other obstacles in the roadways which have caused damage to automobiles. Article 4, Section 1 of the Town By-Laws (page 4) gives the Selectmen full authority as agents for the Town to prosecute and defend all suits and allow them to settle at their discretion any legal and valid claim or suit against the Town which does not require payment of more than \$300. Selectmen would like the Town Counsel and Town Accountant to review this and work together to make a determination as to this By-Law being a possible vehicle for the settlement of some of these nuisance claims.

Letter to newly appointed Civilian Police Dispatcher Veronica Cross informing her that in the absence of Police Chief Mattioli, Sgt. Philip Connors is in charge of the department and in his absence Sgt. Harpster would assume control.

TOWN DEPARTMENTS cont.

Board noted Oct. 13 memo from Police Sgt. Philip Connors regarding complaint about the occupants at 151 Southville Road. These occupants have been warned to cease their noisy activities and they informed the Police that they are vacating this address on Oct. 15. It was noted that there was one unregistered car at this location. Mr. Smith, the complainant will be notified of this action.

TOWN BOARDS

Board noted letter from Recreation Commission requesting space at the Fayville Village Hall after it is vacated by the temporary Town Offices. This correspondence is to be forwarded to the Fayville Village Hall Committee c/o John Baveri, Chairman.

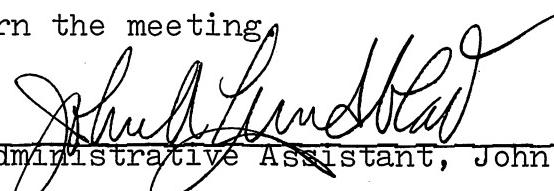
Memo to Paul Brefka, Ch. Planning Board, enclosing revised site plan for the mini-warehouse proposed for Rt. 9 (Trachte Metal Buildings Co.)

Letter to Paul Brefka, Ch. Planning Board, informing him that Michael Steir of Bantry Road informed the Selectmen that it was a unanimous decision of the residents and property owners on Bantry and Tara Roads to come up with \$1,600 as soon as possible so that a patching program could be initiated immediately so that Bantry Rd. will be plowable for the upcoming Winter season. The residents will contract directly with the contractor of their choice, E. C. Murray Constr. Co. Highway Supt. Boland will supervise the work. CC: Mr. Steir and Town Counsel Busconi.

Election Registration: Letter to Roger Maconi, Ch. of Republican Town Committee, re his letter of Sept. 20, informing him that John Hopkins was appointed at this 10/18/77 meeting as Deputy Warden, Precinct II. Mr. Maconi is to be requested to refer to Selectmen's letter dated Sept. 6 requesting 4 additional tellers for each precinct.

9:14 pm. VOTED: to adjourn the meeting

jal/gw


Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

October 25, 1977

7:30 pm. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Admin. Assistant John A. Lundblad, members of the press.

8:15 pm. Ch. Bartolini convened a Site Plan for Marlborough Savings Bank to locate a branch bank at 6 East Main Street, Southborough. Approximate-

9:18 pm. mately 30 citizens were present for this hearing, in addition to the President of the bank Lee Chaplin, III, bank officers John Noble

Harry Loftus, and Mr. Potter; Mr. John Costedio of Highland Land Surveyors;

Attorney Douglas J. Rowe of Morse, Morte & Rowe; and Mr. Horst (architect for the project). Town officials present: Town Clerk Paul Berry, Town Counsel

F. A. Busconi, Planning Bd. Ch. Paul Brefka and members Lawrence Kimball and Patricia Capone. Attorney Rowe gave a brief presentation showing the Site

Plan as well as Schematic drawings of the structure itself, the outside lighting and the entire immediate neighborhood. Attorney Rowe offered the following changes to be planned. First, in order to minimize traffic prob-

lems on East Main Street, the drive-in teller area would be moved back two car lengths so that additional four cars could be stored on Marlborough

Savings Bank property and not have to back up onto the street, increase the capacity in the two drive-in lanes in order to attempt to keep cars off East

Main Street. Second, Attorney Rowe indicated that the lights along Lyman Street facing the Marshall property would be blocked off on the rear side so

that they will not shine directly into that home. Mr. Rowe then went on to give a presentation on the project as presented with the two changes noted above.

Square feet total usable floor space on the first floor would be 1,650 square feet 60 per cent of that being areas open to the customer, 40%

being area closed to the general public; 350 sq. ft. second floor space will be for lavatory and employees lounge; basement would be strictly for storage.

Mr. Costedio showed that the drainage from the site would follow the traffic pattern, that is the drainage would not fall out onto East Main Street but rather down onto Newton Street since the slope of the project was designed

that way.

Mr. Marshall, a direct abutter, objected to the presentation that the driveway was 25 feet from Lyman St. Mr. Costedio indicated that when statements are made regarding the distance of a driveway to abutting property that the measurements are taken from the center of the driveway and showed that the

plan was to scale. The center of the driveway was 25 feet from the inter-

section of Lyman Street.

Mr. Anderson, an abutter across the street, felt that the drainage was in-adequate, that the water coming down from Lyman, East Main, and Winchester St. already creates a serious problem on his property and that added runoff from an area that was formerly grass and is now paved would be hardship for him.

Ch. Bartolini indicated that the drawing before the Board tonight shows that the sloping will be westerly, that it will pick up all of the water on this lot and deposit into two new catch basins to be built and hooked into the existing system on Newton St. and should not bother Mr. Anderson. Mr. Costedio indicated that this is basically correct and that if any other changes are needed by the Board to offer further assurances to abutters, that he would be happy to entertain them.

Mr. Anderson then questioned the design of the driveway entrance on East Main St. Discussion developed between the Selectmen and proponents of the project and residents with no clear consensus emerging as to the best direc-tion of traffic through the project. There were people speaking both in favor of keeping the direction as is; people speaking in favor of reversing

the direction. For example, Mr. Brousseau, 28 E. Main St., indicated that Lyman St. and East Main St. is the school bus stop, young children are frequently standing at that corner and this could be a problem corner for people to be driving in. It was pointed out to Mr. Brousseau that people come to be much more careful driving into a driveway than driving out of one and for this reason it was wise to keep the direction of suggested traffic flow as is.

Planning Bd. Ch. Brefka asked the architect and engineers to consider for a few minutes the possibility of reversing the traffic flow and on what ramifications that would have upon the project.

While they were preparing that, Sel. O'Connell spoke making the following points: (1) applauded the efforts of Marlborough Savings Bank and their consulting engineers and architect in the thoroughness of the Site Plan; (2) re drainage, it was his feeling that most of the drainage would go to Newton St. and that only the face of the driveway would spill back onto East Main St.; (3) no matter which way the drainage runs, that there will be problems for the Town, increasing the paved area will create increased runoff. This system is already taxed beyond the acceptable limits, although it would not cause a problem for residents of East Main St., but rather property owners beyond the drug store and insurance office; (4) He indicated that he supported the notion of moving up the drive-in window two car spaces so that 10 vehicles could be stored in the driveway - five in each lane. Sel. O'Connell felt that this was adequate to eliminate most traffic problems on East Main; (5) re lot size, Zoning By-Law now required 25,000 sq. ft.. The Planning Bd. had approved this subdivision and the subsized lot a number of years ago and now these properties are under separate ownership; (6) therefore, the lot is not restricted under the 25,000 sq. ft. requirement, rather the pre-existing, nonconforming use, and feels that this is an excellent use of this property.

Ch. Brefka also applauded the efforts of Marlborough Savings Bank and their consulting engineers and architects and indicated that this was one of the better prepared Site Plan before his Board and that he found nothing wrong with the plan outside of the lot size question.

Arthur Sisson, a resident of Lyman Street, requested information on the number of employees and the hours of operation. President of the bank, Lee Chaplin, indicated that there would be 3 employees, that the hours would be Monday through Wednesday 10-4, Thursday and Friday 10-8, and Sat. 9-noon.

Mr. Marshall requested the building be rotated to face the other direction and that the driveway be moved to accommodate that location of the building. He felt that if the building faced Newton St., it would be easier to buffer his property. Furthermore, he felt that in the other direction the building would be faced that the shrubbery proposed is too small and that higher shrubs 8-10-12 feet tall should be placed.

He requested information about outside alarms. Mr. Chaplin indicated that the alarms would not ring outside but rather would ring in the Police Station.

Mr. Marshall also questioned drainage of the site. Mr. Costedio indicated that there was a berm along Lyman St. and that this area would be heavily landscaped, both discouraging people from cutting through there or parking on Lyman St. to cut through there; and furthermore, channelling all the water out of that area instead of channelling it from the parking lot onto Mr. Marshall's property.

Mr. Kimball then indicated that the possibility of having a bank on this location, which is zoned properly, is clearly the lesser of many evils since this same property could have a small shopping center or a MacDonald's Restaurant or something of that nature if the percolation test permitted them.

9:18 pm. The Site Plan Hearing was closed.

Motion was made by Ch. Bartolini and seconded by Sel. McAuliffe and unanimously VOTED that the restrictions: (1) a hedge-type screening on the southwesterly side of Lyman St. high enough so as to obstruct any view or pick up any undesirable noise from the Marlborough Savings Bank, (2) the bank be committed to a traffic managerial monitoring plan, if need be, to develop a traffic pattern that will go from Boston Rd. into East Main St. into their driveway, (3) that the Highway Supt. give us a letter that the drainage system as proposed by the bank is adequate and the town lines would be adequate to take any drainage coming off that property, and (4) that the flow will be from East Main Street into the property from that East Main St. site and no change in direction would be honored by this Board unless another site plan hearing is held. Ch. Bartolini directed the Admin. Ass't to send a note to Mr. Anderson and Mr. Marshall, the abutters, about the restrictions put on the Site Plan.

Selectmen drew four jurors for jury duty in the presence of Town Counsel Busconi: (1) Fred O. Hakansson, 36 Richards Rd., (2) Alexander D. Cameron, 16 Carolyn Terrace, (3) Alexander J. Meninno, 77 Oak Hill Rd., and (4) Robert A. Gorton, 8 Maplecrest Drive.

9:30 pm. Selectmen met with Mr. Gueard of Gueard Engineering, Paul Lindau to of Trachte Metal Buildings Co. and Attorney Charles B. Swartwood
10:15 pm. III. Selectmen met with Mr. Lindau one week prior to ZBA Hearing to discuss matters concerning the proposal for the Trachte Metal Bldg. Co. mini-warehouses on Rt. 9 in the Fayville section of Southborough. Since Mr. Lindau had previously submitted a Site Plan request nearly 60 days prior to the Board of Selectmen held this meeting with Mr. Swartwood to iron out all matters except those of the ZBA variance request so that the Board of Selectmen could take definite action prior to the 60 day period required by the Town By-Laws.

First issue discussed: Admission by the Board of Selectmen that all requirements placed upon Mr. Lindau's firm from the Site Plan Hearing a number of weeks back had been met other than the drainage work and the zonal, (2) Lindau further indicated that he redesigned the front buildings to give it a residential look, (3) In regard to the drainage matter, Mr. Lindau indicated that he had met with the Conservation Commission and hoped that the proposal made tonight would satisfy them as well as the Bd. of Selectmen. He first indicated that this problem is not one that is indicative of mini-warehouse proposals but one that will occur whenever any development comes into the area. Obviously, any development that paves the area will increase the run-off and will aggravate existing conditions. He therefore suggested that an installation be made from Brook Lane across private property owned by Mr. and Mrs. Atchue, with a 42" elliptical pipe be constructed parallelling the old 15" pipe and return to the natural course of the brook. If the Board of Selectmen agrees that this is a reasonable solution, then Mr. Lindau and Mr. Swartwood would contact Mr. Atchue for the necessary easement. This would not be a town project, but rather a private project, which would be under the ownership and cost of Trachte Metal Buildings Co. Mr. Swartwood had requested the press not to print Mr. Atchue's name so that he might have the option to discuss this with Mr. Atchue, the request for an easement. If the Board agreed, then Mr. Swartwood would negotiate with Mr. Atchue.

The three basic concerns: (1) increased volume of water which would aggravate the problem Mr. Atchue already experiences, (2) a feeling that the existing 15" pipe should be left alone, let it drain to Brook Lane itself and that if no use could be found for this property, therefore, instead of aggravating this system, it was felt that a 42" elliptical pipe which has a lower curve but similar volume to a 36" circular pipe could easily carry all the water and stay clear of all the other buried utilities in the area. However, it would be necessary to have an easement from Mr. Atchue both to go on the property to do the work and, of course, for the permanent pipes. It would be possible for the Bd. of Selectmen to have an easement at the same time if they so desired.

Sel. O'Connell then detailed what he thought on the issues and asked whether or not this was, in fact, an accurate presentation- first that there would be a 24" main coming off the Trachte Metal Buildings Property. This would be capable of holding at least 100 year storm, taking into account all the land to the West. RipRap would be placed along the drainage which is leading to the outfall from Trachte Metal Buildings property, then runs for a length of 30 feet in a 24" drain then outfalling into an open brook, and under Brook Lane a 70 foot long 15 inch pipe catches the water from Brook Lane catch basins and picks up the brook. This is where the inadequacy lies. Therefore, the proposal for the 42 inch elliptical pipe which has a 36" circular capacity would be built parallel to the 15 to carry the natural course of the brook as well as the additional runoff from Trachte Metal Buildings Co. property. In addition, if Mr. Atchue and Mr. White were so inclined, the 15 foot pipe could be extended all the way to the outfall on Rt. 9 of the State's 48" pipe under Rt. 9. He indicated that if this solved the problem for Trachte Metal Buildings that this would be fine with the Bd. of Selectmen, but the Town preferred not to have an easement and to own the drainage system. The Board AGREED that it was the obligation of Trachte Metal Buildings Co. to get the water to Rt. 9 whether it was a 42" main under the road and that if this plan were (1) reviewed by Highway Supt. Boland, (2) approved by the Town Counsel, and (3) presented with all easements then it satisfied the conditions laid down by the Bd. of Selectmen and Conservation Commission leaving only the variance left to be secured by Trachte Metal Buildings Co. for their project on Rt. 9.

10:15 pm. Selectmen discussed with Town Counsel Busconi the above matter briefly.

10:20 pm. Selectmen then discussed with Town Counsel Busconi the state to of the road work being carried out by Fantoni Construction in 10:35 pm. the Bare Tracts, Inc. Southborough Farms Subdivision. The Board indicated that the work should have been accomplished by October 15 and that there was a \$32,000 bank book waiting on this project. Sel. O'Connell indicated that the Admin. Ass't had informed him that there was an occupancy due within two weeks. Mr. Busconi indicated that Mr. Fantoni had acknowledged the letter sent from the Selectmen and the Planning Board. His conversation had indicated that he knew of no occupancy. (It should be noted at this time that Mr. Fantoni is not the builder, but rather Mr. Goodman is the builder - Mr. Fantoni is the developer of the subdivision putting in all roads, utilities, etc. The Board indicated that the Admin. Ass't should notify Planning Bd. Ch. Brefka that no action will be taken by the Bd. of Selectmen to secure the \$32,000 bank book until at least Nov. 15 since it is the understanding of the Bd. of Selectmen that no occupancies will be on line prior to that time and it is possible that the work could be accomplished prior to the Board's request that the Admin. Ass't and Highway Supt. and Town Counsel inspect the project daily and offer week by week progress reports up to Nov. 15. If no action is taken at that time the Board of Selectmen will instruct the Town Counsel to take legal action to secure the \$32,000 in the bank book.

In regard to Bantry Road, Mr. Busconi indicated that the figures would be delivered to the Admin. Ass't tomorrow by Mr. Caterino's engineers by his staff at which time it will be turned over to the Planning Board for their meeting Thursday at which time they will determine whether negotiations are possible or whether a final deadline or suits should be initiated on Bantry Road bond and bond for the Industrial Park drainage work.

11:00 pm. Board of Selectmen considered the appointment of a Regular Police Officer to fill the vacancy created by the retirement of Henry D. Pietrasiak. Sel. McAuliffe placed the name of Charles A. Keller, 87 Turnpike Road, in consideration. It was seconded by Sel. O'Connell and was a unanimous voice VOTE of the Board of Selectmen to appoint Charles Keller Regular Police Officer.

Selectmen signed TW #41 for \$124,453.28.

Selectmen signed TW #42 for \$ 2,996.29.

Selectmen signed TW #43 for \$ 1,597.51.

Selectmen signed CETA-Title 6 Project TW #14 for \$980.10.

Selectmen signed CETA-Title 6 Project TW #15 for \$127.08.

Selectmen signed Revenue Sharing TW #7 for \$62,644.81.

TOWN DEPARTMENTS

Memo to Highway Supt. Boland asking for a progress report on the erection of the strobe light on Parkerville and Gilmore Roads to slow down traffic for the school crossing at that location.

Memo to Police Chief Mattioli enclosing a copy of letter dated Oct. 12 from the Personnel Board concerning its promotional policies and stating that where employees under collective bargaining are guaranteed a given rate and a given raise, it should be automatic and approval of the Personnel Board is beside the fact.

Board noted Oct. 24 letter from Bldg. Insp. Phaneuf to Helen T. Hayes, 254 Parkerville Rd., informing her that no construction activity may proceed at 250 Parkerville Rd. without a permit, and a permit cannot be issued when alleged zoning violations are occurring. Mrs. Hayes is attempting to convert a dwelling unit beyond the number of units allowed as a pre-existing, nonconforming use. Other violations are of Section 114.1 and Sections 106.0 and 111.1 of the State Bldg. Code as concerns covering of walls prior to inspection.

Board noted Oct. 21 letter from Town Accountant Elaine Hinckley reporting that Paul Draper, Dir. of Drop-In Center, has been to see Mrs. Hinckley several times regarding the funds for the Center and how she can appropriate it. No vouchers have been received from Mrs. Draper and she has been informed that the Town Accountant only approves and prepares the vouchers for payment but that all policy making is done by the Selectmen.

Board noted that the \$12,500 lien that was placed on the "Old Mill" property at 15 River Street (formerly owned by Snowfighters) was paid on Jan. 6, 1977, as per memo received from Treas/Coll Ruth Johnson. Mrs. Johnson will notify the Registry to get this lien removed.

COLLECTIVE BARGAINING

Memo to Fire Chief Edward F. Brock enclosing a copy of the findings of the State Labor Relations Commission, Certificate of Representation for the Southborough Permanent Firefighters Association.

LICENSES

Selectmen granted permission to Pilgrim Church to place three temporary signs advertising the church's Annual Christmas Fair - signs to be placed at intersection of Rt. 85 and St. Mark's St., corner of Rt. 85 and Rt. 30 on St. Mark's property, and at intersection of Framingham Road and Rt. 30.

Board granted a one-day special license to Brothers of the Brush to sell wine and beer at a dance to be held at the Reinke Building, Middle Road, on October 28, from the hours of 7 pm. to 12 midnight.

APPOINTMENTS/RESIGNATIONS

Letter to Town Clerk Paul Berry enclosing letter dated Oct. 20, 1977 from James A. Langway resigning from his position on the Industrial Development Financing Authority due to the fact that he now resides in Framingham.

ZONING

Board noted Oct. 24 letter from Bldg. Insp. Phaneuf to Lamy Realty & Ins. Co. re 29 Lynbrook Road and that the Town has determined that this structure is a pre-existing, nonconforming, two dwelling unit structure or two-family house.

TOWN BOARDS

Board noted a Hatch Act Hearing scheduled for October 27 at 8 pm. on Notice of Intent filed by Andrea Restaurant, 241 Turnpike Road, in order to replace existing septic system in the rear of the restaurant.

Board noted Order of Conditions of Conservation Commission to Southborough Rural Cemetery.

Board noted Order of Conditions of Conservation Commission to Trachte Metal Buildings Co. who wish to erect a mini-warehouse on Turnpike Road, Fayville.

Board noted Oct. 20 letter from Empire Masonry Corp., Dedham, Ma. to Hill Miller Friedlaender Hollander, Inc. of Cambridge re new Southborough Fire Station listing conditions which exist and that because of them, their crew will be off the job site as of Monday, Oct. 24, unless they are corrected by that date.

COUNTY

Board noted Oct. 24 letter from John C.O'Toole, P.E., Worcester County Engineer, acknowledging Selectmen's recent letter concerning a drainage problem in the vicinity of Woodbury Rd. He will contact Highway Supt. John Boland to discuss this problem with him. (Re: drainage pipe problem of Virginia Giombetti, 94 Southville Rd.)

STATE AGENCIES

Board noted Oct. 18 Decision of the Commission Against Discrimination with reference to Pryor v. Town of Southborough. Decision was "Lack of Probable Cause Finding".

FEDERAL FUNDING

Board noted letter from Congressman Joseph Early informing of a very important meeting being conducted on November 1 at which time a legislative briefing will be presented on the new Housing and Community Development Act provisions. Questions about CD Block Grant discretionary funding may be answered at that time. New HUD regulations pertaining to programs for smaller municipalities will be discussed at this special session. Meeting is at Commonwealth Pier, Boston and will take the whole day. Contact the HUD Area Office for specifics.

11:07 pm. VOTED: to adjourn the meeting.

jal/gw


Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

November 1, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Admin. Assistant John A. Lundblad, members of the press.

Selectmen signed TW #44 in the amount of \$19,823.67; TW #45 in the amount of \$426,037.70; Federal Rev. Sh. TW #8 for \$16,167.54; CETA-Title 6 Project TW #15 in the amount of \$123.63; and CETA-Title 6 Project TW #16 for \$1,025.60.

Selectmen considered a letter from Richard J. DeAngelis, Attorney for Angelo C. Baltas, dated October 26, 1977, requesting a restaurant on the first floor and an apartment on the second floor of a two-family house at 7 East Main St. in a residential district. The Board of Selectmen duly VOTED unanimously to deny this request and to offer Attorney DeAngelis and Mr. Baltas the opportunity to meet with the Board of Selectmen and to discuss the matter. The Selectmen instructed Admin. Assistant to notify Mr. Baltas that he has the right of appeal to the Zoning Board of Appeals.

8:10 p.m. Selectmen met with Lawrence Kimball of the Planning Board to discuss the Southborough Industrial Park bonding issue.
8:15 p.m. Mr. Kimball indicated that the Planning Board had rejected Mr. Caterino's proposal of \$12,800 for the bonding work to be completed on the Industrial Park road, shoulders and ponding basin. The Planning Bd. has worked out a new figure with Highway Supt. Boland. This firm figure was one which Town Counsel Busconi should not negotiate below.

8:15 p.m. Selectmen discussed with Administrative Assistant Lundblad to the Police False Arrest Policy, being informed by the Admin. 8:20 p.m. Assistant that no other alternative existed. Therefore, the Selectmen instructed Admin. Ass't to look further and report back next week.

Selectmen then asked Admin. Ass't Lundblad if any progress had been made on Fairview Road problem. Admin. Ass't informed them that work had progressed both in the burying of utilities and the rough site work on the road.

8:25 p.m. Selectmen met with Professor Lawrence Susskind, PhD from MIT; Planning Bd. members: Paul Brefka (Chairman), Patricia Capone, Lawrence Kimball, Donald Dillman, Margit Donath, and their secretary Jean Bigelow; Conservation Commission members: Inge Tufts (Chairman), Delia Mulvaney, Hamilton Armstrong, Catherine Alsterlund, Brian Mauro; Board of Assessors: Arthur Holmes (Chairman), Charles Johnson, Arthur Sisson; Board of Health: Philip Mauch (Chairman), John Bartolini, Dr. Timothy P. Stone; Town Clerk Paul Berry; Highway Supt. John Boland; Michael Murphy of Data General Corp.; James Higgiston, Chairman of Board of Library Trustees; Advisory Committee members: Ann Dockstader, William Pires, Edward Chaput, George McClelland (Chairman); half a dozen citizens and members of the press. Dr. Susskind gave a 15 min. presentation on his proposal

for an update of the Comprehensive Plan for the Town of Southborough and the possibilities of funding the same. He informed the members present that a very preliminary application had been filed. After this presentation a question and answer period followed. Sel. O'Connell stated that he felt that the concept was sound, that it was a good idea, but he was against the principle of using local money for this project. Sel. McAuliffe asked what sort of local official involvement would be built into the process and the ad hoc committee - also what the total cost would be. Dr. Susskind indicated that the total cost would not exceed \$5,000 not counting donated cost on the part of MIT and his staff's time. Mr. Kimball of the Planning Bd. expressed his concern with the pre-application process claiming that the application was ramrodded through prior to Planning Bd. and Advisory Committee getting reasonable time to review it. Dr. Susskind indicated to Mr. Kimball that there was no choice if the Town wanted to be considered for funding, since the Office of Local Assistance had set up very strict deadlines which had to be adhered to. These deadlines precluded a great deal of give and take on the submission. Therefore, the Board of Selectmen receiving the support of the Conservation Commission submitted a preliminary pre-application. If merit was found with this pre-application, then the Board of Selectmen, Dr. Susskind, Conservation Commission, Planning Bd., Advisory Committee and any other interested public official or citizen would sit down and work out a final plan. If a final plan could not be drafted then the application would not be filed. This was reiterated by Ch. Bartolini. Mr. Kimball then indicated that he preferred to keep the contributions and funding local and expressed a distrust of State government, State money.

9:07 p.m. Selectmen met with the same persons mentioned above to consider the 208 Wastewater Study. A vigorous discussion from 10:10 pm. most public officials expressed concern with the timeliness of the submittal from MAPC. If the Selectmen had not passed out the summary over the weekend, it would not have even been possible to have a meeting this evening. Again, Dr. Susskind gave a brief presentation of the MAPC and the 208 process and his considerations. The Consensus was that it was virtually impossible for the public officials present to make an intelligent decision and recommendation on this study until further information is received. The consensus of all public officials present was that the Selectmen should draft a letter to the MAPC requesting additional information, expressing concern over the fact that no nonstructural solutions were mentioned, only sewerage solutions. Further, there were some serious questions by local officials on the source of data both for the growth projects and for the flotation of pollution.

10:10 p.m. Selectmen recessed for 15 minutes.

10:25 p.m. Selectmen read the decision of the Board regarding the Site Plan for Trachte Metal Buildings Co. The Board approved that plan with four conditions. Those conditions being (1) that ZBA Variance be received, (2) that Trachte Metal Buildings Co. live up to the restrictions placed on them by the Highway Dept., (3) and by the Conservation Commission, (4) that Trachte Metal Buildings Co. obtain all the necessary legal easement and water course rights to solve the water problem.

At this time Sel. O'Connell indicated that he was very concerned about

the Trachte Metal Buildings proposal for two reasons: (1) that there is a grave need for more taxable property in the Town, that there is always tradeoffs in these matters and the residents of the area adjacent to a large facility such as this will suffer, perhaps, but that tax-producing property on a road along Rt. 9 will inevitably be developed and we should look for the best use for each piece of land. He would hope that the ZBA would give serious consideration to this proposal and serious consideration to the fact that this will assist in stabilizing the tax rate, (2) that he was gravely concerned about the Town's relationship with business and industry, concerned with an anti-business attitude that has been projected by numerous boards and committees and felt that positive action should be taken to encourage good businesses to locate here. Ch. Bartolini then indicated that he only spoke at this hearing and only came out publicly on this proposal because of certain allegations made by Mr. Lindau of Trachte concerning the assistance by the Admin. Assistant and the Selectmen's staff allegedly offering assurances that the Zoning was adequate. Ch. Bartolini indicated that such assurances are never made by the Selectmen's staff.

The Selectmen then duly VOTED unanimously to instruct the Town Counsel to move against Maryland Casualty and Cosmo J. Caterino to get the \$10,000 and \$80,000 bonds back. It was moved by Sel. McAuliffe seconded by Sel. O'Connell, and a unanimous voice vote to have the Town Counsel move forthwith against them.

Sel. McAuliffe made a motion, seconded by Sel. O'Connell, and it was a unanimous voice VOTE to throw out the landscape bids.

STATE AGENCIES

Letter to David Standley, Commissioner, Dept. of Environmental Quality Engineering, Boston, about the RCRA (Resource Conservation and Recovery Act of 1976).

TOWN DEPARTMENTS

Building Inspector.

Letter to Fire Captain Frank Aspinwall informing him that Linda Strand has informally requested the Town to destroy property owned by her off Pearl Street in the Southville Section. Selectmen would like Fire Dept.'s opinion of this project prior to initiating any further action by Miss Strand. Would it be a worthwhile training exercise similar to the Miller house on Southville Rd.? If this activity is a burden to the dept., then other means will have to be investigated.

Letter to Town Clerk Paul Berry enclosing copy of correspondence from Admin. Ass't Lundblad to Treasurer/Collector Ruth Johnson AUTHORIZING computerization of the town payroll and authorizing Mrs. Johnson to enter into any agreement necessary with Newton-Waltham BayBank, also a copy of the Selectmen's Minutes detailing this authorization of September 13, 1977.

Legal. Letter to Town Counsel Busconi informing him of the Board's VOTE to instruct him to begin suit or whatever action is necessary to retrieve the full amount of the outstanding bonds from Maryland Casualty Co. and Cosmo J. Caterino for work to be completed on Bantry Road (Fiddler's Green Subdivision) as well as the work to be done on the streets and ponding basin of the Southborough Industrial Park on the south side of Rt. 9.

TOWN DEPARTMENTS (cont.)

Board noted Oct. 28 letter from Bldg. Inspector Phaneuf to Hugh M. Dalzell informing him that Town Counsel Busconi has inspected the premises at 95 Woodland Rd., with Mr. Dalzell and Mr. Dalzell's attorney Charles B. Swartwood III, and found no violations as mentioned in Mr. Phaneuf's Oct. 3 letter. Therefore, the Cease and Desist Order has been removed. CC: Board of Selectmen, Town Counsel Busconi, and Attorney C. B. Swartwood III.

Legal. Selectmen requested an opinion from Town Counsel Busconi re hold-over status re terms of appointment for members of town boards.

TOWN BOARDS

Letter to Paul Brefka, Ch. Planning Bd. informing him that Admin. Ass't Lundblad has approved for the Town license renewal request by Donnelly Advertising for the following signs: Number 23759, Number 23351, Number 23598, Number 23599, Number 26359 and Number 29364.

Board noted Hatch Act Approval from Southborough Conservation Commission listing conditions for Andrea Restaurant, 241 Turnpike Rd.

Board noted Oct. 26 "Cost to complete remaining work, Industrial Park Subdivision, Southboro, Mass. per Cosmo Caterino". This list included Coslin Drive, Crystal Pond Road, Ponding Basin "A", "B" and "C". Planning Board.

ZONING.

Letter to Charles E. Pederson re his request dated Nov. 1 asking that the Town not act on a demolition order to raze the Southville Railroad Station for four weeks. He wishes to purchase this property. Selectmen refused to grant Mr. Pedersen's request due to the fact of the proximity of this building to the tracks, the size of the lot and the fact that the zoning is clearly residential creates significant hurdles which would require, at the very minimum, three months to resolve through various Boards, Commissions and appeal procedures in the Town.

COMPLAINTS

Letter to Lorraine Keller, 87 Turnpike Rd., re her letter of Oct. 29 concerning a dog owned by occupants of 89 Turnpike Rd., which entered her property and attempted to bite her. Action has been taken by Dog Officer Hamel and this animal has been taken into custody and has quarantined him at the kennel at Boston Rd. If the owner does not contact him by Nov 8 or 9, he will be destroyed. If the owner contacts Dog Officer Hamel, he will be informed that he will be called before the Board to hear charges in regard to Mrs. Keller's complaint.

LICENSES

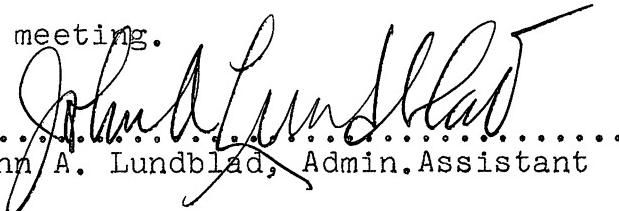
Selectmen duly VOTED to approve application for a certificate of incorporation for Mass. Medical Group Management Assoc., Inc., 11 Main St.

SITE PLANS

Board noted Oct. 31 letter from Highway Supt. Boland re his receiving proposed drainage installation on Brook Lane which were prepared for Trachte Metal Buildings Co., and giving his comments on said document.

Board noted Oct. 31 letter from Highway Supt. Boland commenting on the various plans re the proposed Marlborough Savings Branch Bank at the corner of Newton and East Main Streets. Their proposal for both driveway locations and tie-in to the Town's drainage system is based on good engineering principals and has Supt. Boland's approval.

11:10 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

November 8, 1977

7:30 pm. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Paul R. O'Connell, Jr., Admin. Assistant John A. Lundblad, members of the press.

Selectmen selected two jurors in the presence of Town Clerk Paul Berry: (1) C. John Ebbrecht, Jr., 18 Pinecone Lane, and (2) Richard J. Capello, 7 Gilmore Rd.

Selectmen signed TW #46 in the amount of \$500,000.00.

Selectmen signed TW #47 in the amount of \$ 80,408.81.

Selectmen signed TW #48 in the amount of \$134,721.14.

Selectmen signed TW #49 in the amount of \$ 4,087.99.

Selectmen signed TW #50 in the amount of \$ 256.48.

Selectmen signed CETA-Title 6 Project TW #17 in the amount of \$1,103.60.

Selectmen signed CETA-Title 6 Project TW #18 in the amount of \$ 127.08.

Selectmen signed Federal Revenue Sharing TW #9 in the amount of \$513.00.

8:15 pm. A legal Hearing was held for the transfer of the all-alcoholic com-
to mon victualler's license from Mortony Enterprises, Inc. d/b/a Tony

8:50 pm. Dee's Restaurant to H. M. D. Realty Trust, d/b/a Country Lodge and
Lounge, Hugh M. Dalzell, Manager, for the premises at 44-50 Turn-

pike Road, Fayville. Ch. Bartolini read the legal ad aloud. Present also
were Attorney Charles B. Swartwood III and Hugh M. Dalzell, 7 Latisquama Rd.
First, Attorney Swartwood presented an affidavit of return receipt requests
from all abutters except Mr. Farrar who was not available. Mr. Swartwood in

that case served him personally and had him sign a release; Second, Mr.
Swartwood produced a certificate of the vote of the corporation of Mortony

Enterprises, Inc.; Third, he produced a pledge of stock agreement from the
previous owners to the Hudson National Bank; Fourth, he presented an assign-
ment of stock from the Hudson National Bank to Hugh M. Dalzell; Fifth, an

assignment of stock from Hugh M. Dalzell to Michael Higgins, who in turn has
provided a certificate of the vote of the corporation of Mortony Enterprises,
Inc. to H. M. D. Realty Trust. Admin. Ass't Lundblad noted that two issues

were unresolved: (1) that Mr. Dalzell had not dated the application form and
that (2) there was no record of a Hearing for the transfer of license from
Mortony Enterprises, Inc. to Hudson National Bank. Under the supervision of

Mr. Swartwood and the Selectmen, Mr. Dalzell dated the application the same
day as his original application and the stamped receipt of the office of the
Board of Selectmen. In regard to the hearing for the transfer of stock, Mr.
Swartwood presented an affidavit from the attorney for Mortony Enterprises,
Inc. noting in the transfer of stock, a provision that all reviews by local
authorities would be taken if required.

Sel. McAuliffe made a Motion, seconded by Sel. O'Connell, and it was a unanimous
voice VOTE to approve this transfer of the all-alcoholic beverages
license from Mortony Enterprises, Inc. to H. M. D. Realty Trust, Hugh M.
Dalzell, Trustee.

8:50 pm. Selectmen met with Robert Sellew, 1610 Worcester Road, Framingham.
Mr. Sellew did not have an appointment with the Board and request-
ed to deliver entry fees for two water services on Valley Road.

Selectmen signed the request and received a check for \$400 and noted that
the Supts. for the Water and Highway Depts. had not executed this Permit to
Open Valley Road.

9:00 pm. Selectmen met with Ray Goodman, Paul e Brefka, Ch. of the Planning
to Board and Town Counsel Busconi. Mr. Goodman is building single

9:45 pm. family dwellings under the d/b/a Bare Tracts, Inc. (Southborough

Farms Subdivision), which in turn is being developed by Paul Fantoni. Mr. Goodman indicated that he is building a dozen houses in this subdivision. He has 16 lots that he has purchased. He is also ready to request an occupancy permit on the first unit, the first house built on the right on the Fairview Extension (approximately 375 feet in from the accepted way.) He informed the Selectmen that the base coat is in, in this area, and that he would request the Selectmen to release the occupancy permit. Ch. Bartolini indicated that he attended a Planning Board meeting relative to the problems that they were having with Mr. Fantoni, that the Board in general had a great deal of displeasure with Mr. Fantoni's performance. Ch. Bartolini asked Planning Bd. Ch. Brefka for a progress report. Ch. Brefka indicated first that Mr. Fantoni had not met his deadline although he continues to maintain that work will be done before closing down of the project for this year; second, that Water Supt. Binder's inspections were needed on a number of water services and that apparently delayed the project; third, that approval of the Shell Oil Co. was necessary for final construction of the cul-de-sac that instead of doing this, the Planning Bd. and Mr. Fantoni had agreed to redesign the cul-de-sac; fourth, Ch. Brefka indicated that he was satisfied with the Foreman's Report at their last week's meeting and hoped that Mr. Fantoni would advance. Ch. Bartolini then asked for a progress Report from Highway Supt. John Boland. Mr. Brefka stated that Mr. Boland had approved the shifting of the sidewalk to the north side which the Planning Bd. and Mr. Boland had mutually agreed upon. Mr. Boland had agreed not to force the developer to put the metes and bounds in at this time. While it is a small issue with very little money involved, these can easily be damaged or buried or lost in the process. Sel. O'Connel then asked if Mr. Fantoni's bond had been agreed to by John Boland. Mr. Brefka indicated in the affirmative, that the bank is holding the cash book, furthermore that all work would have to be done before any lots in Section II will be approved, at least by the Planning Bd. Oct. 15 remains the deadline even though it has been passed. Sel. O'Connell asked of Mr. Goodman whether or not he had paid for the land. Mr. Goodman indicated that 95% of the payments were made and 5% will be paid on final occupancy. Sel. O'Connell indicated he did not see how the Board could legally hold an Occupancy Permit. Mr. Brefka said that the problems between Mr. Fantoni and the Town would put Mr. Goodman in the middle and he is truly caught by circumstances at this time. Mr. Goodman indicated that his company would plow the private street if necessary if Mr. Fantoni and the Town refused to. Mr. Brefka asked Mr. Goodman how many homes would be done by the Spring. Mr. Goodman replied: Nine. Sel. O'Connell asked how many lots were being developed beyond the end of the binder course. Mr. Goodman indicated: 3 or 4. Another one would be started within 3 weeks. Sel. O'Connell indicated that the Boards have already passed and approved the amount and the form of bond, that we cannot do work on this private road even if we got the money, that we therefore have few choices. If we seize the money, it will merely sit in a bank account until Spring, that our best bet is to move on Mr. Fantoni and influence him to complete this work as soon as possible. Town Counsel Busconi concurred. Sel. O'Connell then asked what Mr. Goodman has been doing with Mr. Fantoni to try and make him work toward these goals. Mr. Goodman indicated that Mr. Fantoni's failure is hurting him both professionally and personally, that repeatedly he tried to get Mr. Fantoni to complete the project but he apparently has other timetables and problems in other locations but this obviously hurts Mr. Goodman's construction company's reputation. Sel. McAuliffe then indicated that he is concerned with the occupants, the people who will be buying the homes. Mr. Goodman expressed that he has the same concerns. People living in a subdivision were always asked by future owners what sort of a house, what sort of a developer, what sort of a home builder, etc. Mr. Brefka indicated that Nov. 15 the Bd. of Selectmen had requested the Plan. Bd. to come in to discuss this matter. He wanted to know who would be present at this meeting. Admin. Ass't Lundblad informed him that all members of the

Planning Board were welcome, the Highway Supt., Mr. Fantoni, Mr. Goodman, Mr. Busconi were all scheduled to meet with the Bd. of Selectmen. Selectmen then informed Mr. Goodman that a signed statement by the purchasers would accompany any future permits noting that the street is unaccepted and would not be plowed by the Town and the developer has in fact defaulted. Sel. McAuliffe indicated that this would be the only way that he would allow any permits to be issued.

Selectmen VOTED 2 to 0 to approve what permit was necessary for home occupation for Janice Adams, 158 Middle Road. Sel. O'Connell abstaining.

Selectmen discussed Fire Station proposal. Sel. O'Connell gave a brief presentation asking Ch. Bartolini who had expressed concern about the scope of the development, whether or not we should accept the status quo and make the Downtown more salable. Ch. Bartolini indicated that we might be able to package a number of small parcels Downtown to attract a major taxpayer something on the size and scope of the professional center. But more than that, we should decide what to do with the Fire Station. However, Ch. Bartolini indicated that sewerage problems were paramount in this section of Town. It was the consensus of the Board that further research would be carried out culminating in a Warrant Article for the Annual Town Meeting and suggested the disposal of the Fire Station.

Selectmen then discussed the Rt. 9 signal lights for Data General Corp. asking for an update from the Admin. Ass't.

Ch. Bartolini then asked Town Counsel Busconi whether or not a suit had been filed against Maryland Casualty. Answer was in the affirmative. Negotiations were progressing with both actions separately.

ZONING

Selectmen granted Zoning By-Law Permits to B & B Realty Trust (aka Oak Hill Construction, John Bartolini) to build single family residences on the following lots:

- 1 Peggy Drive - Lot A-1
- 2 Peggy Drive - Lot 1
- 3 Peggy Drive - Lot A-2
- 4 Peggy Drive - Lot 2
- 5 Peggy Drive - Lot A-3

SITE PLAN

Letter to Robert White, 104 Turnpike Road informing him why a sign permit could not be issued by the Bldg. Insp. and requiring a Site Plan approval prior to the issue of any permits whether for signs, alterations, curb cuts, parking, etc.

TOWN DEPARTMENTS

Letter to Highway Supt. Boland granting permission for the Highway Dept. to substitute the holiday, November 11, Veterans' Day for the day after Thanksgiving, November 25, as long as all members of the dept. are in agreement with this policy.

Letter to Personnel Board c/o Michael L. Backer, Ch., enclosing a ruling by Town Counsel Busconi concluding that so far as the Personnel Board is concerned, all members shall continue to hold office until their successors have been appointed and qualified. Attention is directed to Section 15 entitled "Personnel Board," paragraph 2. Legal

LICENSES

Letter to the Alcoholic Beverages Control Commission (for their approval) enclosing approval of the Board of Selectmen, application for transfer of liquor license, application for common victualer all alcoholic beverages license and statement under chapter 652, Acts of 1955, regarding transfer of liquor license from Mortony Enterprises, Inc. d/b/a Tony Dee's Rest. to H. M. D. Realty Trust, Hugh M. Dalzell, Manager d/b/a Country Lodge and Lounge, 44-50 Turnpike Road.

Selectmen signed Permit to Open, Occupy and Obstruct Public Way, allowing Robert Sellew to open Valley Road for the purpose of installing a water main for Lot 103. Selectmen accepted receipt of check in the amount of \$400.00 as bond. This is to be signed by Highway Supt. Boland and Water Supt. Binder before releasing Permit to Mr. Sellew.

FEDERAL FUNDING

Ch. Bartolini signed a letter which is to be sent to Walter S. Crowell, Jr., Director, CETA Program, Marlboro, requesting that Conservation and Recreation CETA Project be extended until all monies are expended.

APPOINTMENTS/RESIGNATIONS

Board noted Nov. 5 letter from Charles A. Keller, 87 Turnpike Road, to Town Clerk Paul Berry notifying of his resignation as a Reserve Officer effective Saturday, Nov. 5, 1977.

ZONING

Board noted ZBA decision to grant a variance to Allen M. Glick allowing him to place a garage within 4 feet of the general northerly boundary of his property line at 15 Crestview Drive.

10:47 pm. VOTED: to adjourn the meeting.


gw/jal
Administrative Assistant, John A. Lundblad

MINUTES OF MEETING
BOARD OF SELECTMEN

November 28, 1977

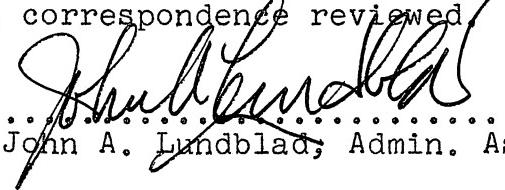
Held At
ANDREA RESTAURANT

6:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad, School Committee Members -- Anne Freeman, Phyllis Self, Katherine O'Brien, and Chairman Frank Wanemacher, and Supt. of Schools Herbert Geele.

Issues discussed included the Selectmen's decision to enroll the Town in the pay-as-you-go system for Workman's Compensation. Salient issue raised in this discussion included the decision by the Northborough Selectmen, the decision by Assabet Valley Regional Vocational High School, and Algonquin Regional High School.

The second major issue discussed was the Community Drop-In Center and whether or not the School Committee could offer any assistance from their staff in either funding, staffing, or counselling assistance.

10:30 p.m. Meeting adjourned with no decisions made, no votes taken, no papers signed, no correspondence reviewed


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

November 15, 1977

7:30 p.m. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad and members of the press.

Selectmen signed Treasury Warrants #51 for \$13,351.30; TW #52 for \$752,638.40; #53 for \$20,698.60; Fed. Rev. Sh. TW #10 for \$169.27; CETA-Title 6 Project TW #19 for \$1,024.32; CETA-Title 6 Project TW #20 for \$139.30.

8:10 p.m. Selectmen met with Mr. William DuPont, 19 Oregon Rd., in regard to his request the week previous for a permit to 8:22 p.m. convert one of his classrooms into an apartment (3 rooms) in the Pine Tree Country School, Inc. building on 19 Oregon Rd. Selectmen indicated that they would have to refer this to the Town Counsel for a ruling.

8:22 p.m. Selectmen met with Robert E. Longden, Jr. of Bowditch & Dewey, Worcester, re a Site Plan for American Optical Corp.

8:30 p.m. for the construction of a parking lot off Boston Rd. and New York Avenue in the Framingham Industrial Park. Present for the Planning Bd.: Lawrence Kimball, Patricia Capone. Mr. Longden brought a copy of the construction specs as well as the Site Plan. He acknowledged the Board's correspondence raising three issues in order to comply with the Site Plan By-Law. First: Drainage. Mr. Longden indicated that drainage would be away from Rt. 30 (Boston Rd.) and New York Ave. into the driveway of American Optical and ultimately depositing into the system in Framingham. Second: the Town Line is the plot line through the parking lot showing that all of the area discussed this evening would be parking lot and there would be no buildings on the Southborough side. He was instructed from Mr. Kimball through the Chairman to have all structures within 200 feet of the property line shown, as well as the usage of those structures shown. Selectmen, upon a Motion from Sel. McAuliffe, seconded by Sel. O'Connell, unanimously by voice VOTE to approve the Site Plan as presented as long as the following conditions were met: (1) that all structures within 200 feet be clearly marked as to ownership and use, (2) that the parking be overlayed on the Industrial Park as-built plan provided by the Town.

Selectmen reviewed the correspondence from the Board of Assessors requesting that tennis courts be inspected by the Building Inspector so that the Assessors would have prior knowledge for assessing purposes. Selectmen requested an opinion of the Town Counsel to review the opinion offered by former Town Counsel William Brewin in re this matter.

Selectmen reviewed a request by Highway Supt. Boland seeking the services of the Town Counsel for the review of an easement in the Meadow Lane area. Selectmen duly VOTED unanimously to accept Mr. Boland's recommendation and AUTHORIZED his use of the Town Counsel for this purpose.

Selectmen reviewed the memorandum from the Admin. Ass't and correspondence from Treasurer/Collector Ruth Johnson and Town Accountant Elaine Hinckley as concerns the unemployment insurance law. Selectmen VOTED

unanimously to follow the option recommended by Admin. Ass't and the two financial officers - that being the pay-as-you-go system instead of the contributory. Selectmen requested that prior to a formal declaration to the State, that the School Committee, Assessors and Advisory Committee be notified of the Selectmen's intention given a reasonable time to comment if necessary.

9:00 p.m. Selectmen met with Mr. and Mrs. George McCarthy of Pine to Hill Rd. re their application for a Class II License

9:30 p.m. primarily for wholesaling of used cars at 77 School St.

Mr. McCarthy explained that he was really seeking a wholesale license, but since no such license is available, it was his intent to seek a Class II (Used Car) License, and run a wholesale operation out of this location although cars would be for sale for retail. Ch. Bartolini read the formal restrictions, the same as the former licensee at that location - Floyd's Autobody. Sel. McAuliffe notified the McCarthys that the Board would require the owners to install a permanent fence, not merely a temporary fence, as apparently Mr. Floyd had installed since he took the fence with him. After some discussion, the Selectmen VOTED upon a Motion made by Sel. McAuliffe, seconded by Sel. O'Connell, to approve the License with the following conditions:

1. No trucks for sale, used or new, shall be on the premises outside of the garage for more than 24 hours after delivery;
2. No partially dismantled, inoperative, wrecked, junked or discarded vehicle shall be allowed on the premises outside of the garage any time other than normal working hours;
3. An 8-foot stockade-type fence be permanently erected to buffer all residential neighbors' view of the storage area enclosing the side and rear areas adjacent to the structure;
4. No additional exterior lighting be installed without prior approval from the Licensing Authority;
5. Hours of operation shall not exceed 8 a.m. to 6 p.m. Monday through Friday - 8 a.m. to 1:00 p.m. on Saturdays;
6. Not more than six (6) automobiles in salable condition may be displayed in front of the structure;
7. Not more than ten (10) additional vehicles may be stored outside the building in the rear and on the sides; and said vehicles shall be stored in an area surrounded by an 8-foot stockade fence.

Sel. O'Connell requested that this license be held one week prior to issuing the entire license with conditions so that he could talk with abutters - but for the purpose of the McCarthys getting Registry of Motor Vehicle permission, the white-sheet license could be released tonight. This business will be known as Mobility Sales, Inc.

9:35 p.m. Selectmen met with Town Counsel Busconi, Highway Supt. to Boland and the Planning Board - members Patricia Capone
11:00 p.m. Lawrence Kimball and Paul Fantoni (developer of Bare Tracts, Inc./Southborough Farms Subdivision) and Ray Goodman (the building contractor currently building single family dwellings in that subdivision). Ch. Bartolini explained that this meeting was called to assess the progress made by Mr. Fantoni. Mr. Fantoni stated that the Simione Corp. was on line to do the paving work either this week or next. When that work is finished they will do the berm and sidewalk work. The stub roads will be graded off, but may not get a binder course this year. Ch. Bartolini asked Mr. Fantoni if he would plow it. He replied in the affirmative. Sel. McAuliffe asked for a progress report from Highway Supt. Boland. Mr. Boland indicated that basically what Mr. Fantoni said was accurate, that the gravel and the finished grade had to be put in on the new roads. Binder course would have to be put on the new roads and the finished course on all roads. Ch. Bartolini asked Mr. Boland if the standard of the work was acceptable. He indicated in the affirmative. Sel. O'Connell asked what progress was made up until Sept. 1. Mr. Fantoni conceded that very little was done until the houses were basically framed. Sel. O'Connell asked Mr. Fantoni whether or not he felt that this was substantial completion as agreed to earlier in the year. Mr. Fantoni indicated in the affirmative. Sel. O'Connell indicated that he felt that was not accurate. Within Phase 1 there were 19 house lots. He asked Mr. Goodman how many were beyond the binder course. He replied: 4. Ch. Bartolini asked Mr. Fantoni how much work remained. Mr. Fantoni indicated approximately one work week. Mr. Kimball then stated that Mr. Fantoni had failed to live up to every single agreement, every step of the way and he failed to live up to all timetables or conditions or agreements regarding the subdivision and the roads in specific. He asked, therefore, how we could assume that he would now plow the road. He asked the Board of Selectmen to deny the Occupancy Permits and move after the money as soon as possible. Pat Capone of the Planning Bd. indicated agreement with Mr. Kimball's position and felt that, however, the stub road and the extension road were the critical problems. There would possibly be people living there this Winter and they would have only a mud path leading to their homes. She understands that one family is moving in within the week. Mr. Goodman said yes, that one permit was being requested for occupancy this week, in fact it had already been issued but that this was for the lower section of the road. Ch. Bartolini explained that according to Town Counsel, permits had to be issued. Mr. Kimball asked Town Counsel if that was correct. Town Counsel Busconi indicated that it was. However, in addition to this, the Selectmen had required that the purchasers of the property sign a release indicating that they were aware that the Town does not have any responsibility for the maintenance, plowing, sanding, salting, construction, reconstruction or surfacing on the streets. Mr. Kimball wanted to know about the funds, whether or not the Town is going after the money in the bank. Sel. O'Connell indicated that all the Board had done was take a 30-day extension the 15th of November to try to coax Mr. Fantoni to completing his project. He indicated that the recourse still remains to file suit and that the intent of the Town and the Selectmen was to extend the grace period 30 days hoping that Mr. Fantoni would do the work. Sel. O'Connell again reiterated that the only reasonable short-term solution was for Mr. Fantoni to do the

work and not have the Town enter into this process. Town Counsel Busconi asked Mr. Goodman if Mr. Binder was holding up the process. He indicated that he was not. Mr. Fantoni indicated that there were a few inspections needed by Mr. Binder but this was not holding up the project.

10:05 p.m. The Board recessed for two minutes.

10:07 p.m. Meeting resumed. Sel. O'Connell asked the Town Counsel whether or not a timetable could be secured from Attorney DeCenzo. Town Counsel Busconi indicated that it certainly could be if Attorney DeCenzo could secure a definitive timetable from Mr. Fantoni. He further said that everyone understood that the October 15 date was to be the completion date and that during those hectic weeks just prior to that he was calling Mr. DeCenzo on a weekly basis. Ch. Bartolini asked Highway Supt. Boland to sum up the conditions as they are now and the work that remains to be done. Mr. Boland offered the following analysis: First, that except for the last week or so, no work had been carried out during the previous months, the stub road could be completed within a day and a half or two work days - that the stub road 150 foot extension would take a week's work to do the finish on it. Sel. O'Connell asked Mr. Boland how long it would take to put binder on the ground. Mr. Boland indicated that the rough grade already is in, that the gravel and the final finish grade would have to be done and the binder course put on and the finish coat could be done within a week if the hot top contractor was cooperative and if the weather didn't change drastically. If not, Mr. Boland indicated that the other section could have the binder put on it and be prepared for work next Spring. Ch. Bartolini asked Mr. Boland how much work had been done within the last year. He indicated that the structures had been raised, that patching had been done and cart path had been turned into a road both up to the extension where the new homes were being built and up to the stub road.

Mr. Kimball indicated that he felt that the Selectmen can deny occupancy and should exercise that option, should go after the funds and should go after Mr. Fantoni and Mr. Goodman personally that which they had offered in writing. They should suffer the consequences personally.

Ch. Bartolini asked Mr. Fantoni how far he could progress by Saturday at 4:30 p.m. Mr. Fantoni, after a great deal of discussion back and forth with Ch. Bartolini, indicated that by the end of the work day on Saturday, November 19, 1977 that all the water would be installed, the gate services would be in, the hydrant would be in, and all stub roads and extensions would be a finish grade with road gravel - in other words, ready for the binder course and the finish course. Ch. Bartolini reiterated the discussion asking specifically if Mr. Fantoni could meet all of those stipulations. He indicated in the affirmative. Sel. McAuliffe indicated that if the work would not be done, the Town should go after these funds and execute proceedings on the 22nd of November. Sel. O'Connell amended that to instruct the Town Counsel to prepare all papers to go after these funds. In the event that this timetable is not met, then not to file these until November 23, after the Selectmen have an opportunity on the 22nd to review the progress made by Mr. Fantoni. Mr. Kimball then noted that other problems exist in the completion of the total job including, but not limited to, the berm work, the sidewalk work, trees, seeding, loam. He felt that the money should be

pursued. For the record, we should go after these funds and then if we wish to release a certain amount upon completion of part of the work, that would be appropriate. Ch. Bartolini stated that first, that this is the first time the Board has brought in Mr. Fantoni although requesting a 30-day extension and 28-day extension. Town Counsel is preparing papers and will proceed and that the other work - the berm, the sidewalk, the tree planting is all hand work and not easily mechanized as is the other work in question. He feels that it is not reasonable to go after these funds until it is cleared exactly the total progress made prior to the close of the construction season. Ch. Bartolini further indicated that he felt that it was not in anyone's best interest to go after the funds and therefore shut down the construction project at this late date. Sel. O'Connell moved that the Board of Selectmen prepare the paper work to secure the bond from the South Middlesex Coop. Bank. However, that the paper work not be finally filed until November 23, 1977 so that the Board of Selectmen may review the work accomplished prior to that time by Mr. Fantoni. Motion was seconded by Sel. McAuliffe and it was a unanimous voice VOTE.

SITE PLANS

Letter to Robert E. Longden, Jr., Bowditch & Dewey, informing him that the Site Plan reviewed on November 15 was approved with two conditions: (1) that the parking area be overlayed on the Industrial Park as-built plan, which was furnished to him at the conclusion of the Hearing, and (2) that all structures within 200 feet of the property line be identified as well as ownership and zoning use of all abutting properties. This is regarding the construction of parking facilities by AMERICAN OPTICAL CORP. on property off Boston Rd. (Rt. 30). CC: Highway Dept., Water Dept., Planning Bd., Conservation Com., Bd. of Health, Assessors, and Bldg. Inspector.

TOWN DEPARTMENTS

Memo to Highway Supt. Boland asking him to review attached 11/4/77 letter from Frank Small of 4 Vale Terrace re his request for the removal of snow and ice from a private way known as Vale Terrace. Selectmen would like Mr. Boland's opinion on such service for Vale Terrace.

Legal. Letter to Town Counsel Busconi requesting his opinion re appropriateness of request by Pine Tree Country School, Inc., 19 Oregon Rd., who wish to convert one of the classrooms into a three-room apartment for their personal use. (Application for a permit was signed by William A. and Helen M. DuPont, 19 Oregon Rd.)

Letter to Frank Small, 4 Vale Terrace, acknowledging his 11/14/77 letter informing him that the Selectmen have requested the opinion of Highway Supt. Boland and that Mr. Small will be contacted soon regarding the plowing of his street.

Board noted Nov. 10 letter from Building Inspector Edgar Phaneuf, Jr. to Andrew Buduo Construction Co. of Worcester, in which he informed them that the Southville Railroad Station, 172 Southville Rd., has been demolished and backfilled to the satisfaction of the Bldg. Dept.

ZONING

Letter to Columbia Properties, Inc., owner of record since 9/6/77 of the former Schuster Truck Terminal on Rt. 30, Boston Rd., welcoming them to the Town of Southborough and suggesting that if they anticipate any change in either the use or any external physical changes, that this would come under the Site Plan By-Law. CC: Bldg. Insp. Phaneuf.

Board noted 11/14/77 letter from Lawrence Kimball of the Planning Bd. which stated that on Nov. 3 they had reviewed a zoning permit application on Lot 29 on Fairview Drive, signed by Paul Fantoni of Bare Tracts, Inc. The Bd. did not approve the Zoning Permit application due to the subdivider's failure to complete road construction by Oct. 15.

TOWN BOARDS

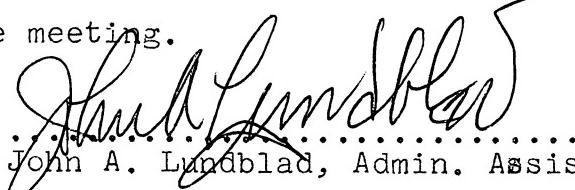
Board noted 11/8 letter from Bd. of Assessors to Data General Corp. withdrawing the Assessors' denial notice re their application for abatement for Fiscal 78 "without prejudice" pending the outcome of an appraisal of all Data General property within Southborough, said appraisal being done by Horne and Hastings Associates.

Board noted Nov. 10 letter from Planning Bd. to Town Counsel Busconi re their position on the Industrial Park Bond stating that they believe this bond can be reduced to \$40,000 based on the information they presently have and that the Town Counsel should make this offer to the developer - Mr. Caterino and require him to substantiate his claim re the grading of the gravel pit.

STATE AGENCIES

Board noted 11/14 letter from Data General to Robert Shea of Mass.DPW, Worcester, which enclosed duly signed land damage and right of entry agreements for the red light on Rt. 9 at Crystal Pond Rd.

11:35 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

November 22, 1977

7:30 p.m. Present: Ch. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr. (arrived 7:45 p.m.), Admin. Ass't John A. Lundblad, and members of the press.

Selectmen signed Treasury Warrants #55 for \$100,047.00; TW #56 for \$3,112.63; CETA-Title 6 Project TW #21 for \$122.18; CETA-Title 6 Project TW #22 for \$1,185.10; TW #54 for \$79,779.70; Fed. Rev. Funds TW #11 for \$6,675.00; and Anti-Recessional Fiscal Asst. TW #3 for \$1,124.97.

7:45 p.m. Bid Opening held for snow removal. Ch. Bartolini read to aloud the legal advertisement. Bids opened were from:

7:50 p.m.

- (1) Southborough Trucking, 38 Bigelow Rd.,
Southborough, MA.....\$ 18.50/hour
- (2) Fleetwood Landscape Co., 4 Lovers
Lane, Southborough, MA.....\$ 15.00/hour

Highway Supt. John Boland was present and requested that these bids be accepted subject to his inspection of these vehicles, since he had budgeted for three contractors and had hoped for three bids. Sel. McAuliffe moved that the bids be accepted as submitted subject to inspection of vehicles by Highway Supt. Boland. Motion was seconded by Sel. O'Connell and it was a unanimous voice VOTE of the Board.

7:50 p.m. Meeting with Highway Supt. John Boland. Selectmen then to duly VOTED the Winter Parking Ban as follows:

8:00 p.m.

VOTE: There will not be any parking on any public way in the Town of Southborough from 12 midnight until 6:00 a.m., and furthermore, there will not be any parking on any public way during any snow storm in the Town of Southborough. Vehicles parked will be towed at the owner's expense (according to the Town's By-Laws). This ban will go into effect from November 22 through April 30, 1978.

Motion was made by Sel. McAuliffe, seconded by Sel. O'Connell and it was a unanimous voice vote. Town Clerk Paul Berry is to be notified by letter of this vote as well as Police Chief Mattioli and Highway Supt. Boland.

The second matter discussed with Highway Supt. Boland was the progress of Bare Tracts, Inc./Southborough Farms Subdivision. Mr. Boland indicated that a major portion of the work had been completed as of that morning and that all gravel work had been accomplished, that the road was at finish grade, merely awaiting the paving contractor who had a previous commitment. Mr. Boland assured the Selectmen that work would be completed on Wed. or Thurs. and that they should not proceed on the seizing of the bond.

8:00 p.m. Selectmen discussed with Highway Supt. Boland the Traffic
to Light Project for Rt. 9 at Crystal Pond Rd. Sel. in-
8:25 p.m. structed Highway Supt. and Admin. Assistant Lundblad to
advertise for this project immediately with a Dec. 6 bid
opening date. Admin. Assistant and Highway Supt. were charged with
the project of reviewing the document and making whatever amendments
are necessary prior to formal printing. Second, Admin. Assistant is
to call Brad Stroup of Data General Corp. as soon as possible to
notify him of the receipt of this document and the award date. Select-
men indicated that the contractual agreement between the Town and the
State would be signed next week if the document was satisfactory to
Mr. Lundblad and Mr. Boland. If not, the bidding period would be ex-
tended.

8:25 p.m. Selectmen met with Arthur Malone d/b/a Advanced Design for
to a Site Plan Hearing at the intersection of Cordaville Rd.
8:40 p.m. and Mt. Vickory Rd. for the conversion of a barracks-type
building formerly used by P.I.E. truck drivers now to be
used by Mr. Malone's company Advanced Design for the assembly of solar
window treatment, the retail sale of the same as well as a retail
factory outlet. Mr. Malone gave a brief description of his business
noting that he assembles, customizes venetian blinds, solar screens,
shades, window tinting devices and other energy conservation techniques
for window treatment. Primary business for this location would be the
assembly of those products. Second, a small retail area of 600 sq. ft.
would be reserved for displaying both the products of Advanced Design
as well as a small area reserved for the factory outlet which Mr.
Malone proposes for this location. Ch. Bartolini questioned his con-
cerns re parking. The plan contains sufficient parking for the
square footage, both retail and in assembly. However, Ch. Bartolini
indicated that if future parking was needed, that he would have to
negotiate with P.I.E. to use part of their parking area instead of
paving all the unpaved area. Sel. O'Connell asked the Board for a
ruling of the Town Counsel on the difference between assembling and
manufacturing in an Industrial District. Sel. McAuliffe moved that
the Site Plan be approved as submitted with the possible condition of
the Town Counsel's review of the use for this zone. Motion was
seconded by Sel. O'Connell and it was a unanimous voice VOTE of the
Board of Selectmen.

8:40 p.m. Selectmen met with Richard Rogers, Representative to the
to General Court for the Westborough/Southborough District. The
8:55 p.m. subject discussed: court reform.

8:55 p.m. Board of Selectmen, conferring with Rep. Rogers and Admin.
Assistant Lundblad, signed the Employer's Status Report for
Unemployment Insurance declaring that the Town of South-
borough would not enter the Contributory System but rather would enter
the Reimbursement System for unemployment compensation for its employees.

8:55 p.m. Selectmen discussed with Highway Supt. John Boland, the
to progress made on Bantry Road. Mr. Boland indicated that
9:00 p.m. E. C. Murray Co. was scheduled for Wed. morning to patch
the pot holes left in Bantry Rd. Mr. Boland indicated that
he was overseeing this project.

11/22/77 Sel. Mtg. - Pg. 3

9:00 p.m. Selectmen discussed the issuance of the Class II License to
to Mobility Sales, Inc., 77 School St. - with the following
9:05 p.m. conditions:

1. No trucks for sale, used or new, shall be on the premises outside of the garage for more than 24 hours after delivery;
2. No partially dismantled, inoperative, wrecked, junked or discarded vehicle shall be allowed on the premises outside of the garage any time other than normal working hours;
3. An 8-foot stockade-type fence be permanently erected to buffer all residential neighbors' view of the storage area enclosing the side and rear areas adjacent to the structure;
4. No additional exterior lighting be installed without prior approval from the Licensing Authority;
5. Hours of operation shall not exceed 8 a.m. to 6 p.m. Monday through Friday - 8 a.m. to 1:00 p.m. on Saturdays;
6. Not more than six (6) automobiles in salable condition may be displayed in front of the structure;
7. Not more than ten (10) additional vehicles may be stored outside the building in the rear and on the sides; and said vehicles shall be stored in an area surrounded by an 8-foot stockade fence.

Sel. McAuliffe moved that the license be issued with these conditions attached. Motion was seconded by Sel. O'Connell and it was a unanimous voice VOTE of the Board.

Selectmen reviewed a recommendation from Police Chief F. J. Mattioli re the erection of "No Parking" signs on the southerly side of East Main Street across from the Walcott Nursery School. Ch. Bartolini requested that the Chief of Police poll these individuals to determine whether or not they would like no parking signs erected in front of their homes.

9:15 p.m. Selectmen discussed the issue of the Reserve vacancies and to the possibility of "promoting" two of the Auxiliaries to
9:30 p.m. the Reserve Corps. Sel. O'Connell indicated that since two students currently hired as Dispatchers would not get extra money or extra credits for being promoted from Auxiliary to Reserve, then the Reserve jobs should be thrown open to all Auxiliaries or not filled, that the decision should not be made based upon this very narrow determination. Sel. McAuliffe agreed. At this time Lt. Purcell of the Auxiliary discussed with the Bd. of Selectmen the interest by other members of the Auxiliary of the possibility of becoming a Reserve. Sel. McAuliffe felt that all of the Auxiliaries were not offered the chance to apply and therefore the Admin. Ass't should speak with the Police Chief to insure that all Auxiliaries are offered the same opportunity to apply for this position if they have interest in it.

Selectmen then duly VOTED to continue to place restrictions on all Occupancy Permits in the Fairview Drive Extension, stub road and cross-over road until the entire project is completed including, but not limited to, the roads, berms, sidewalks, the trees, loam and seed.

Selectmen then instructed the Admin. Assistant to inform the Building Inspector that it was their desire that no more temporary permits be issued for occupancy. They also informed the Admin. Assistant to inform the Town Counsel to begin proceedings against H.M.D. Realty Trust for violations in the Zoning By-Laws on Woodland Rd. as concerns multi-dwelling units.

STATE AGENCIES

Letter to Susan Redlich, Dir., Div. of Agricultural Land Use, Boston, asking her to refer to Selectmen's letter of Aug. 11 re the agricultural use of land on the Margaret Neary School property. The School Committee has asked for a legal ruling on this matter as to whether this property can be used under a permit for 5 years. CC: Richard Tibert, Business Manager of the Northborough/Southborough School District.

ZONING

Letter to Janice M. Adams, 158 Middle Rd., re her letter of Nov. 4 giving her permission for her "home business" - the teaching of craft classes in her home on Middle Rd.

Board noted 11/18/77 letter from Marshall Krashin d/b/a Maaco Auto Painting Center making an application to operate his business in a 7,200 sq. ft. area of the Plywood Ranch Warehouse located on Turnpike Rd.

SITE PLANS

Letter to Paul Brefka, Ch. of Planning Bd. enclosing a copy of letter dated Nov. 7 from Attorney Douglas Rowe as concerns alterations of the Site Plan for Marlborough Savings Bank, 6 East Main St.

Letter to Ralph Giombetti notifying him that the Bd. of Selectmen and the Planning Bd. have both approved his Site Plan as submitted and revised re his property at 245 Turnpike Rd.

TOWN DEPARTMENTS

Letter to Robert Clewes re his complaint dated 11/18. Mr. Truesdale the Tree Warden will have, by Wed. the 23rd, the dangerous portion of the tree removed - and perhaps the entire tree.

Legal. Letter to Town Counsel Busconi informing him the Board has reviewed the letter dated 11/8 from Penn Central Transp. to Town Counsel re unpaid liability due the Town from said company. Selectmen request that the Town Counsel contact Richard Smith, Trustee of the New York, New Haven & Hartford R. R. Co. to make inquiry for the payment of their tax liability to the Town. CC: Town Accountant Hinckley and Treasurer/Collector Ruth Johnson.

Legal. Letter to Town Counsel Busconi enclosing a copy of a suit by John S. Ducat vs. Town of Southborough re a so-called pot hole complaint. Selectmen request Town Counsel to defend this suit in whatever jurisdiction required.

LICENSES

Letter to Rev. Eugene Goll, St. Mark's Church granting permission for his church to hang banners (advertising their fair) over town ways in the Town. CC: Bldg. Inspector Phaneuf.

Letter to Vito Amorelli, Worcester, re his request of 11/22. Selectmen informed him that they cannot allow the Central Street Market's Package Goods Store, Wine and Malt Beverages License to be renewed and held without a location according to ABCC Rules and Regulations. (This market closed in late November 1977.)

COMPLAINTS

Board noted Nov. 17 letter from Roger B. Leland to the School Committee of Northborough enclosing his many letters of complaints regarding Northborough Road.

10:35 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

November 29, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr.

7:45 p.m. Admin. Assistant John A. Lundblad and Sel. McAuliffe left the meeting to appear with Treasurer/Collector Ruth Johnson before the Personnel Board at the classroom, second floor, Police Station, 19 Main Street.

8:00 p.m. Selectmen met with Metropolitan Area Planning Council representatives Lillian Morgenstern, Nancy Wologin and Joseph McGinn; Planning Board: Paul Brefka (Chairman); Board of Health Chairman Philip Mauch; George Killam of the Conservation Commission; Advisory Committee and Board of Assessors; a member of the League of Women Voters and other citizens. The discussion centered on two major types of residential problem: One - new houses. The Town informed the MAPC representatives that site plan reviews, septic tank pumping programs by the Board of Health and Conservation Commission, one-acre zoning, flood plain zoning, wetland zoning, and other zoning controls should serve as sufficient protection over these areas. Two - the older developed areas. There was concern about renewed growth in these areas and also concerns about the development of sewerage which would encourage yet other unplanned growth which results in greater costs for the Town such as police protection, fire protection, roadways, water costs, and schools. Board of Health Chairman Mauch indicated that the primary problem that his Board has experienced is the problem of locating a place for the pumpers to dump the septage. Framingham and Marlborough are not interested in continuing to take Southborough's septage, even at a price. Therefore, the major problem for Southborough is a disposal system for the sewage and also for the solid waste since the landfill has closed. Transportation represents the ever-escalating uncontrollable factor in both of these disposal costs. In addition, as more and more sewerage plants refuse admission to dumpers, it becomes more difficult, therefore more expensive for a group pumping program to be carried out in Southborough. The Board of Health, therefore, requests help of the MAPC and the Federal and State governments to set up a regional septage plant which would allow for a greater enforcement program in septic tank pumping. If this sort of activity is not developed, then it may become necessary for the Town to have to seriously consider sewers.

Sel. O'Connell indicated that sewers are an easy alternative. It's the quickest because of Federal funding and appear to be the least expensive in the very short run. It's also the easiest one to conceive of and to construct. However, the other side of the problem is that it creates an unknown factor in regard to growth. Sewers tend to generate and increase residential development which increases the demand for schools and other services. Therefore, he feels that the Town should look into alternative development modes so that the increased pumping program can be attained while still qualifying for Federal funding for nonsewer process such as capping of the landfill, construction of septage facilities and perhaps even some storm drain runoff programs.

MAPC representatives, in discussing these issues, indicated that the MAPC would request written responses to the preliminary proposal indicating as detailed as possible the response to the alternatives. Especially where the response is negative, the MAPC would request detailed explanations. If a town is not satisfied with the three options offered, then they should wait for the septage study which should be delivered forthwith - sometime within the first two weeks of December. Then in January the draft of the final area-wide plan would be distributed. It would still be flexible enough a document for alterations and amendments from local officials.

Selectmen signed Treasury Warrants as follows: TW #57 \$14,663.93; #58 \$19,548.20; #59 \$103,512.43; CETA-Title 6 Project #23 \$136.75; and CETA-Title 6 Project #24 for \$993.10.

TOWN BOARDS

Letter to Paul Brefka, Chairman of Planning Bd. informing him that the paving work on Fairview Drive, Fairview Extension, the connector road and the stub road in the Southborough Farms Subdivision has been essentially completed. The binder course has been placed upon the upper road, the crossover road and the stub road and finish coat has been placed over these ways as well as Fairview Extension. Selectmen plan to send a letter to Mr. Fantoni acknowledging his work and setting up clear guidelines for the remainder of the work and request a timetable for the same. CC: Town Counsel Busconi.

Letter to THUG Chairman Paul Brefka enclosing letter dated 11/21/77 from John McGlynn, Supervisor of Public Records, concerning the retention and maintenance of public records by the Town. The Board of Selectmen will assume full responsibility of this project.

TOWN DEPARTMENTS

Memo to Highway Supt. Boland re Ch. Bartolini's concern re the design of the storm drainage system on Fairview Drive. He would like any input re the design of this system Mr. Boland has had with either Mr. Caterino, Mr. Fantoni and/or the Planning Board.

Legal. Board noted Judgment of Dismissal from Worcester Superior Court, Civil Action #5670 Ronald Campbell dba Campbell Rubbish Removal vs. Messrs. Bartolini, McAuliffe and Zolli, Selectmen, this action having been reported settled to the court - Judge Meagher, presiding.

SITE PLAN

Letter to Arthur Malone, Advance Design, Inc. informing him that after holding a Site Plan Hearing 11/22/77, and after receiving a ruling from Town Counsel Busconi dated 11/29/77, duly VOTED to approve his Site Plan as submitted for Advance Design, Inc. at the intersection of Rt. 85 and Mt. Vickory Rd. on property owned by P.I.E. CC: Highway and Water Depts.; Planning Bd.; Conservation Commission; Board of Health; Board of Assessors and Building Inspector Edgar Phaneuf, Jr.

Board noted 11/21 letter from Lew Horton Distributing Co., Inc., 175 Boston Rd. in which he informed the Board of their intention to file a site plan in the near future.

ZONING

Board noted Finding of Fact and Decision from Zoning Board of Appeals denying Trachte Metal Buildings Co. to construct a miniwarehouse complex on the property located on the south side of Rt. 9 bounded by land of Mill-Hunt Real Estate Corp., by land of Dzierzeski, Surette, La Pointe and HMD Realty Trust.

Board noted ZBA public hearing will be held on Monday, Dec. 12, 1977, at 7:30 p.m. on the petition of Helen Hayes, 254 Parkerville Rd., who desires a variance to permit her to divide the first floor of an existing two-family residence to house a third family.

LICENSES

The Board of Selectmen approved the following 1978 License Renewals:

Druggist - All Alcoholic

C. Charles Margaritis, Reg. Phar. d/b/a Southborough Drug

Retail Package Goods Stores - Wines and Malt

Arthur J. St. Maurice d/b/a Willow Brook, The Down-On-The-Farm Country
William Mauro dba Mauro's Market Store
Ralph E. Parsons dba Ralph's Package Store

Retail Package Goods Stores - All Alcoholic

Bill's Package Store, Inc., William J. Fletcher, Manager
Turnpike Food and Liquor Mart, Inc., Stanley Kerbel, Manager

Restaurants - All Alcoholic

White's Corner Restaurant, Inc., Frank J. Rossi, Sr., Mgr.
Giombetti & Francis, Inc., dba Andrea Restaurant, Geo. P. Francis, Jr., Mgr.
Marnok, Inc. dba Hong Chow, Jake Lung Soo Hoo, Manager
Andrew Gong dba Kahili Restaurant

Club - All Alcoholic

Fayville Athletic Assoc., Inc., Austin Maguire, Manager

The Board of Selectmen signed the following Common Victualler's Licenses:

Bill's Package Store, Inc., William J. Fletcher, Mgr.

Turnpike Food and Liquor Mart, Inc., Stanley Kerbel, Mgr.

White's Corner Restaurant, Inc. Frank J. Rossi, Sr., Mgr.

Giombetti & Francis, Inc., dba Andrea Restaurant, G.P. Francis, Jr., Mgr.
Marnok, Inc., dba Hong Chow, Jake Lung Soo Hoo, Mgr.

Kahili Restaurant, Andrew Gong, Mgr.

William Mauro dba Mauro's Market

Ben's Deli, Richard Gentille

Southborough House of Pizza, Angelo Baltas

Maureen's, Robert J. & Maureen Haley

Lugia's Sandwich Shop, Joseph Bennett

Southborough News Shop, Richard Curran

9:20 p.m. Meeting adjourned.


Louis J. Bartolini, Chairman
Board of Selectmen

MINUTES OF MEETING
BOARD OF SELECTMEN

December 6, 1977

- 7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Administrative Assistant John A. Lundblad, members of the press. (Sel. O'Connell arrived at 7:45 p.m.)
- 7:40 p.m. Selectmen met with the Personnel Board: Chairman Michael Backer, members Janice Fletcher, David Hayward, and Town Counsel Frederick Busconi.
- 7:45 p.m. Sel. Paul R. O'Connell, Jr. arrived.

First issue discussed was Jennifer Bishop, Administrative Secretary in the Collector's office. Town Counsel Busconi informed the Personnel Board that their proposal to give Mrs. Bishop a 6-month raise after her promotion in early 1976 was not within their by-laws. However, they could give her a promotion retroactive to November 1, 1975 and bring her in at Step 2 if that was their wish. This will accomplish virtually the same affect without contravening their by-laws. Second issue discussed was collective bargaining. The Personnel Board requested information from the Selectmen on any notices which might have been received calling for collective bargaining. Selectmen informed the Personnel Board that no notices have been received to date. Personnel Board indicated that in the departments that are organized but not yet negotiating - that is to say, Water, Highway and Fire - all new hires will be at the minimum no matter at what level of qualification the individual comes in with. Personnel Board feels that new status exists between the Town and its employees once we enter the field of collective bargaining. Sel. O'Connell stated that the Personnel Board should follow past practice until the new contract is signed even if that past practice would allow people to be brought in at levels higher than the basic level. Personnel Board then asked guidance on who to meet with as town employees. The consensus of the two Boards convened was that they should bring in all individuals whether as members of the bargaining units or not and would like any town employee to attend and to discuss matters well in advance of preparing their Warrant Article and suggested amendments.

- 7:53 p.m. Eleanor MacLauchlan, Clerk to the Personnel Board, arrived at this time.

In discussing issues which might be before the negotiating team with the Fire Dept., it was noted that although the Police and Fire get basically the same wage, the firefighters work longer hours for the same weekly pay. Perhaps they would be interested in some of the special duty pays, other educational bonuses. Personnel Board requested advice as to where the Town can bargain from, whether they can return the firefighters back to basically zero and start from there or whether they have to work from a three-year agreement with the Police Dept. It was the consensus of the Board of Selectmen that in all bargaining matters the Town has the right to return to zero in each negotiation session. However, for practical reasons, the firefighters have in the past, under past practices, been granted the same benefits and salary

rates where applicable from the Southborough Police Association even though the contract is solely with the SPA.

8:15 p.m. Board of Selectmen recessed the meeting with the Personnel Bd.

8:15 p.m. Ch. Bartolini opened the bid opening for Traffic Control Devices for Rt. 9, Turnpike Rd., at Crystal Pond Rd. He read aloud the legal advertisement for this bid opening.

He noted that two bids were received for the construction of traffic control devices at Crystal Pond Road, namely: C. I. R. Electrical Contractors, Inc. and Traffic Systems Co., of Clinton, Massachusetts. Chairman Bartolini noted that no other bids were to be received and at the close of the meeting with the Personnel Board, that the bids would be opened. Ch. Bartolini asked if any bidders were present and if so, did they have any objections to this practice. Only one bidder was present: Robert Morse of Westboro representing Traffic System Co. of Clinton. He indicated that he had no problem with the procedure. It was moved by Ch. Bartolini to take these bids under advisement, to re-open the hearing in five minutes. Motion was seconded by Sel. McAuliffe and a unanimous voice VOTE of the Board of Selectmen, passing this Motion as stated.

Returning to the meeting with the Personnel Board, the Selectmen discussed the fact that fewer and fewer employees are coming under the auspices of the Personnel Board and perhaps the charge of the Personnel Board should be changed to reflect the new situation concerning collective bargaining units.

8:20 p.m. Ch. Bartolini reconvened the recessed Bid Opening for the construction of traffic control devices at the intersection of Rt. 9, Turnpike Rd., and Crystal Pond Rd., Southborough.

Again, Ch. Bartolini read the legal ad aloud. Two bids were received and opened from:

- | | |
|---|-------------|
| (1) C. I. R. Electrical Contractors, Inc..... | \$35,766.25 |
| (2) Traffic Systems Co., Clinton, MA..... | \$43,025.00 |

Mr. Robert Morse requested permission to review the C.I.R. bid and was so granted.

8:25 p.m. Mack Dunbar of Data General Corp. arrived and was offered the opportunity to review the bids and have photocopies made for his files.

8:30 p.m. Sel. McAuliffe then moved that the bids be taken under advisement, seconded by Sel. O'Connell. Motion was passed by unanimous voice VOTE of the Board of Selectmen.

9:00 p.m. Selectmen held a Pole Location Hearing for Johnson Rd. and Main St. William Dearstyne of Mass. Electric Co. was present. No representatives from New England Telephone were present as NET had no petition before the Board. One abutter - Richard E. Johnson, son of Sereno Johnson of Johnson Rd., was present. Mr. Dearstyne indicated that standard 35 ft. wooden poles would be used to service homes to be constructed in the area. After discussion between Mr. Johnson

and Mr. Dearstyne as to the exact location of the pole in front of his proposed house, it was AGREED that Mr. Dearstyne would have a large red stake placed in the exact location of the pole and Mr. Johnson and Mr. Dearstyne or Mr. Dearstyne's representative would review the location and would contact the Board of Selectmen in regard to appropriate location. Selectmen discussed with Mr. Dearstyne the possibility of having these utilities buried or otherwise made less offensive appearing in that the area is basically meadow land without a lot of large trees and the introduction of poles every 150 feet would not be a very attractive situation.

Mr. Dearstyne stated that Mass. Electric Co. cannot on its own bury these cables and pay for them and would be happy to assess the Town for this activity and/or have the developer do the work. Secondly, Mr. Dearstyne indicated that the poles could be moved to 300 ft. apart. However, they were placed 150 ft. apart so that could be a property line location and not in front of homes and further, that there would be simple cabling from the pole to a house instead of having a mid-span connection which he maintains is much less attractive and not as safe. Board of Selectmen informed Mr. Dearstyne and Mr. Johnson that in general they noted that the plan was satisfactory and acceptable. However, they would request that Mr. Dearstyne work with the developer in question - Gerald Lamy - and with Mr. Dearstyne's supervisor Robert McCabe - to determine if it is feasible to have a cable placed in this area to service these few homes.

Sel. McAuliffe moved that the Hearing be tabled for four weeks at which time the meeting would be reconvened with Mr. Dearstyne and/or Mr. McCabe and Mr. Lamy. Motion seconded by Sel. O'Connell and it was passed by a unanimous voice VOTE of the Board of Selectmen.

9:25 p.m. Selectmen met with Chairman of the Town Hall Users Group to Paul e Brefka, Project Clerk-of-the-Works Edgar A.
10:10 pm. Phaneuf, Jr., Town Counsel Frederick A. Busconi, to discuss three primary issues concerning the Town Hall renovation:

First - exterior cleaning contractor. Mr. Brefka indicated that the work which was supposed to be completed in September to mid-October has not been accomplished even though the contractor had 6 weeks to carry it out, that some portions of the work were carried out below 50 degrees in violation of the specs. The painting work has not yet been done, weather sealing was not done according to specification. Further, the contractor has requested \$6,100 of \$7,100 and indicates that he will return in the Spring to carry out the work. Mr. Phaneuf then detailed the punch list of deficiencies in the work - first, the vines were not totally removed; second, the pointing was not acceptable, that the joining was not satisfactory, the work did not match the existing work; third, the cleaning was not outstanding but rather just fair, that there are obvious visual differences between some areas that were given a heavier application than a lighter application; fourth, the north and east walls where the side ribbon granite strips were not cleaned after droppings from the weather proofing or other chemicals were allowed to remain on the granite; finally, the weatherproofing, as maintained by Mr. DeCenzo, was not done under the inspection of the Committee as required, by the Clerk-of-the Works.

Chairman Bartolini indicated that the contractor certainly should receive some remuneration for the work he has done. Sel. McAuliffe wanted some indication from Paul Brefka or Ed Phaneuf exactly how much should be released to the contractor. It was felt that some burden of proof should be put upon the contractor that the weatherproofing was accomplished but he still should be notified that no one on the Committee or Mr. Phaneuf were notified of the work as required. Therefore the Board suggested that a sufficient retainer should be withheld.

Second - Proposed Extras. (1) Vault Improvement. A price for lighting, tiling floors, painting, electrical outlet, and install flexible shelving \$1,742.00. (2) The cost for replacing the two back side doors, Selectmen's Meeting Room and Men's Room \$399.00. (3) The cost of rewiring the front exterior light \$362.00. Selectmen approved each of these as presented.

Third and final issue - Furnishings. Ch. Brefka respectfully requested the Selectmen's permission to enter into a contract with Hughes and MacCarthy for them to develop layouts for the furniture and furnishings, prepare specifications, bid documents forms, time and materials basis with no markup and the cost not to exceed \$4,000. After much discussion, the Selectmen suggested that Mr. Brefka return to Hughes and MacCarthy with a proposal that the time and materials basis cost with no markup would not exceed \$3,000.

10:10 p.m. Selectmen then met with Edgar A. Phaneuf, Jr., as Building Inspector, and Town Counsel Busconi regarding the Cummings property. A request has been received from Sam Davis of Able Realty that the extension granted to a previous buyer for the Cummings property, 247 Parkerville Rd., be granted to Able Realty so that they may be able to sell the property prior to the demolition of certain pieces of that homestead and the attachment of a municipal lien. Selectmen instructed the Administrative Assistant to begin to write up the specifications and the Selectmen will review them in one week and if no action was taken toward the sale of this house, they would advertise the project in early January and award it as soon as possible. No notification to be sent to Able Realty or to Cummings Estate, but rather to work on the specifications and to review them.

Board of Selectmen reviewed requests from Highway Supt. John W. Boland - first from Assabet Regional Vocational High School to allow students at the Assabet School to apply a program to receive junk appliances from Southborough's Transfer Station. Selectmen AGREED to this and gave Mr. Boland full responsibility of setting up rules and regulations and coordinating the activity; second, Mr. Boland requested permission to enter into a contract not to exceed \$1,500 with Storch Engineers of Chestnut Hill, MA for the purpose of inspecting the construction of the traffic lights at Rt. 9 at Crystal Pond Rd. The Board of Selectmen AGREED with Mr. Boland's recommendation and VOTED unanimously to award said contract. Third, Mr. Boland has requested that Mr. Robert Sellew, building homes on Valley Rd., be notified that his Permit to Open or Obstruct Valley Road for the purpose of installing water main be revoked. The Board of Selectmen TABLED this issue and requested the Administrative Assistant to work with the Highway Supt. and Water Commissioners as soon as possible to try and determine precisely what

happened in this matter and why the Board should revoke a Permit when houses are virtually ready for occupancy according to the Building Inspector.

Sel. McAuliffe then brought up the issue of the Specials or Reserves of the Police Station. He moved that Veronica Cross and Thomas Boland be appointed Special Police Officers with powers restricted to the Southborough Police Headquarters building. Motion was seconded by Sel. O'Connell. After discussion it was VOTED by a unanimous voice VOTE of the Board of Selectmen. All three Selectmen expressed concern about the technique utilized in "advertising" the fact that two Reserve vacancies existed and wanted to meet with the Chief of Police after the first of the year to determine what sort of policy should be followed for the purpose of filling Reserves if any Reserve vacancies are to be filled at all.

The Board of Selectmen VOTED unanimously to AUTHORIZE the services of the Town Counsel to the Police Chief for the purpose of defending suit taken against an Auxiliary Police Officer while in the line of duty.

Selectmen then considered requests by various citizens for the plowing of private streets. Sel. McAuliffe moved to have Highway Supt. John Boland plow Vale Terrace under the provisions of the General Laws accepted by the general election in 1976 authorizing the Town to plow private ways. Motion was seconded by Ch. Bartolini, Sel. O'Connell dissenting, and noted that Highway Supt. Boland was against this idea. He favored keeping it to standard roads, constructed according to the subdivision control law so that our plows would not be damaged. Ch. Bartolini noted that if this were the case then Bantry Road could be plowed and every time we have plowed Bantry Road which is a subdivision controlled road, it damaged our plows. It was a two to one VOTE, Sel. O'Connell dissenting.

Selectmen then asked if any other requests for private roads had come in. Admin. Ass't informed them that a request had come in from a road off Prentiss Street. Admin. Ass't Lundblad furnished the letter from Elsie J. Lilley, 2 Spring Meadow Drive, requesting that Spring Meadow Drive be plowed. It was so moved by Sel. McAuliffe, seconded by Ch. Bartolini. Sel. O'Connell again was opposed to the issue requesting that recommendation be sought from Highway Supt. Boland. Ch. Bartolini informed Sel. O'Connell that the Board's policy in the past was to have the Highway Supt. review the plowing of each of these streets after each storm. If any problems developed, he is to notify the Board at which time the Board will reconsider its vote. It was a two to one VOTE. Sel. O'Connell opposed.

Sel. signed Treasury Warrants: TW #60 for \$97,018.63; TW #61 for \$283,953.95; TW #62 for \$49,115.69; Federal Revenue Sharing TW #12 for \$300.02; CETA-Title 6 Project TW #25 for \$125.93; CETA-Title 6 Project TW #26 for \$992.78; and CETA-Title 6 Project TW #27 for \$223.81.

POLE HEARING

Letter to Robert McCabe, District Manager, Mass. Elec. Co., requesting that Mass. Electric might work out some sort of an arrangement whereby Mass. Electric and the developer of land along Northborough Rd. and Rt. 30 Main St. - Lamy Realty Trust, could bury the utilities instead of being strung overhead.

TOWN DEPARTMENTS

Letters to Frank Small of 4 Vale Terrace and Elsie Lilley, 2 Spring Meadow Drive, informing them of the Board's vote to plow their private roads. CC: Highway Supt. Boland

Letter to Executive Secretary of Mass. Labor Relations Commission, attention Mr. McCormack, asking for an update as concerns the Water and Highway Depts. employees' elections and progress made toward certification of their associations.

Memo to Highway Supt. Boland enclosing a copy of Police Chief Mattioli's recommendations as concerns the erection of "No Parking" signs on East Main Street in the vicinity of the nursery school. Selectmen request that Highway Supt. meet with Police Chief Mattioli as soon as possible to have these signs erected for greater traffic safety on East Main Street

Letter to George A. Stanley, Voc. Chairman, Assabet Valley Regional Voc School District, informing the school that they may have some of the discarded appliances from Southborough's Transfer Station. Specific rules and regulations should be worked out with Highway Supt. Boland. CC: Highway Supt. Boland.

TOWN BOARDS

Selectmen noted a request from Junior Historical Society that a member of the Board be present for the burial of the time capsule at Margaret A. Neary School, Parkerville Road. Selectman Paul R. O'Connell, Jr. was selected.

STATE AGENCIES

Letter to Alexander Sharp II, Commissioner of Dept. of Public Welfare, Boston, formally supporting the candidacy of Social Work Supervisor Patricia Pagano for the position of Director of the Marlborough Welfare Service Office.

Letter to Sophia Coleman, 10 Meadow Lane, expressing the Board's regret upon learning that Mrs. Coleman is unable to serve on the South Middlesex Opportunity Council Board as the Town's representative since she cannot attend evening meetings.

Letter to Paula Draper, Exec. Dir. of Southborough Community Youth Center, informing her re Mrs. Coleman's inability to accept the position as the Board's representative to SMOC and asking that another resident be found who qualifies as a low income family for service on the SMOC Board. CC: Paul Houlihan, Exec. Director of SMOC.

FEDERAL FUNDING

HUD.

Letter to Donald Banks, Chairman of Southborough Housing Authority, enclosing correspondence dated Dec. 2, 1977 from the Area Office of the Dept. of Housing and Urban Development as concerns application period for the Section 8 Existing Housing Program. This program would allow needy Southborough residents to rent existing homes in this Town. HUD should be contacted directly if it is felt that this is an appropriate program.

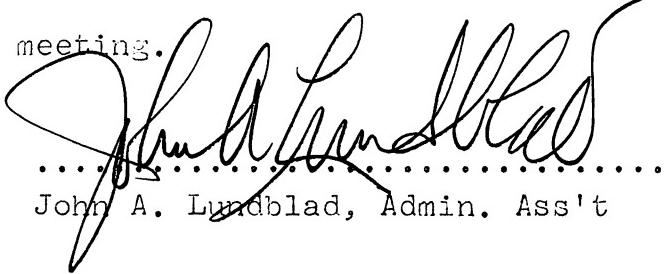
STATE FUNDING

Letter to Cathy Buckley of Central Transportation Planning Staff (CTPS), Boston, requesting that the CTPS formally consider the Town of Southborough as an applicant for matching funds on the Bikeway Project which Admin. Assistant Lundblad explained over the telephone on 12/2/77. This project would attempt to utilize a CETA Grant currently in force in the Town as the matching share for the Town's construction of a recreational bikeway between Kimberly Park Sub-division and the existing bikeway connecting the center of Town and town roads. CC: Gerry Flood, CETA-Title 6 Project Director. Memo to Highway Supt. Boland asking for an update as to the value of the credit which he has outstanding with various providers of road materials as well as the amount of money he has in his labor account for bike path work.

SITE PLANS

Letter to Harry Feldman, Hopedale, Mass. re his property at 2 Woodland Road (corner of Turnpike Rd. - Rt. 9), informing him that the Board has received information from the Building Dept. that this property is being utilized for commercial activity in violation of the Site Plan By-Law. Any new usage of this structure must be first reviewed on a Site Plan Hearing basis. Mr. Feldman is requested to contact Admin. Ass't Lundblad or Building Inspector Phaneuf. CC: Bldg. Insp. Phaneuf and Town Counsel Busconi.

11:18 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Ass't

jal/mp

MINUTES OF MEETING
BOARD OF SELECTMEN

December 13, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel. Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad, and members of the press.

The Selectmen and Administrative Assistant met in Administrative Assistant's office and Selectmen signed the following Treasury Warrants: TW #63 for \$14,728.82; #64 for \$20,906.66; #65 for \$1,117,512.53; TW #66 for \$10,409.92; CETA-Title 6 Project TW #28 for \$1,606.84; and CETA-Title 6 Project TW #29 for \$125.92. Then Selectmen met in upstairs conference room of Fayville Village Hall.

Selectmen reviewed Administrative Assistant's weekly report and then AUTHORIZED John Boland, Highway Supt., to work with Storch Engineers, Data General Corporation and Dept. of Public Works to try and negotiate whatever change is necessary for the traffic signal on Rt. 9 (Turnpike Road) in the vicinity of Crystal Pond Road.

Selectmen then considered the possibility of abating the water hookup fees paid by Robert Sellew and Mr. Sullivan of Valley Road for water services which was not connected prior to the onset of Winter.

8:15 p.m. Selectmen then opened bids for materials and subcontracts to for the fire station construction project. Ch. Bartolini
8:30 p.m. read aloud the legal ad. as it appeared in South Middlesex News 11/23/77. Bids were received for the following topics: Item 1 Electrical Materials, Item 2 Plumbing Materials, Item 3 Heating Materials, Item 4 Lumber, Nails and Ceiling Tiles, Item 5 75KW Generator, and Item 6 Airwhistle and Transmitter. A copy of the summary sheet is attached.

Those present for this bid opening were Earl Smiddy, Fire Captain Frank Aspinwall, one bidder, Board of Selectmen, Admin. Ass't Lundblad, Dan Phaneuf, Water Supt. William Binder, Donna McDaniel of the South Middlesex Daily News.

Sel. McAuliffe made a Motion that these bids be taken under advisement. Motion was seconded by Sel. O'Connell and it was a unanimous voice VOTE so to do.

8:30 p.m. Water Supt. William Binder and Water Commissioner Dan Phaneuf to met with the Board of Selectmen concerning the request by 8:32 p.m. Mr. Sellew and Mr. Sullivan for the return of their deposits for water connections off Valley Road. Mr. Phaneuf indicated that funds would not be returned until a written request came from both of these individuals.

8:45 p.m. Selectmen met with Town Clerk Paul Berry and drew for jury duty Joseph E. Green, 2 John Matthews Road.

Selectmen informed the Admin. Ass't not to release the liquor license for H. M. D. Realty Trust d/b/a Country Lodge and Lounge for Hugh M. Dalzell until the Board of Health has approved the interior sanitation system in writing.

Board considered a Dec. 7, 1977 Letter of Award from the Office of Local Affairs for assistance to the Town for planning and management. Selectmen reviewed this letter and requested the Admin. Ass't to contact OLA Director Constantine Yankopoulos to determine precisely how much money was available for the Town, who would have the responsibility for certain key aspects of the project, what happened to the citizens committee, what sort of input would be present, and finally, who would have the editing rights over the report.

Sel. O'Connell raised the issue of the possibility of strengthening the Industrial Development Commission. It was AGREED that the Selectmen would discuss this matter with the Chairman of the Industrial Development Commission Ronald Edgren to determine if he needs additional members or additional staff support or whatever.

Selectmen duly VOTED: not to hold their regular meeting on Tuesday, December 27, 1977 unless pressing business matters arise. Town Clerk Berry is to be so notified.

ZONING

The Board of Selectmen after reviewing the opinion by Town Counsel Busconi instructed the Admin. Ass't to notify Mr. and Mrs. William DuPont, 19 Oregon Rd., and the Building Inspector. Letter to Helen and William DuPont enclosing legal opinion dated 11/29/77 from Town Counsel Busconi as concerns their building permit application dated 11/3/77. Five conditions were listed with the approval of the issuance of this permit. Selectman O'Connell disagreed with Town Counsel Busconi's opinion and chose to abstain from any voting concerning this matter. The VOTE was: 2 in favor, 1 abstaining. CC: Bldg. Insp. Phaneuf and Town Counsel Busconi.

TOWN DEPARTMENTS

Memo to Town Counsel Busconi enclosing a claim that has been made against the Town (#SC887 Automobile Damage, or \$255.71 including court costs). The Selectmen request that the Town Counsel defend the Town in this case. (Peter Anderson of Hudson claimed damage to his automobile on March 12, 1977 due to a large pothole on Oak Hill Rd.)

Memo to Town Counsel Busconi enclosing correspondence from Planning Bd. member Lawrence Kimball re the restrictions on lots abutting Crestview Drive owned by Allen Glick. Selectmen would like Town Counsel's opinion as detailed in said correspondence.

Police. Letter to Henry Pietrasik informing him that the Attorney General's Office is seeking payment from insurance companies involved re damage to State property that was incurred during Mr. Pietrasik's accident. A copy of Dec. 9 letter from Assistant Attorney General Irene Emerson apologizing is to be enclosed.

Insurance. Letter to Reliance Ins. Co. of Quincy, MA asking that if this company lifts the moratorium on the writing of new policies for volunteer civic workers, namely firefighters, emergency units and police auxiliary units, that someone please contact the Town of Southborough with details of the policy coverages and costs.

TOWN DEPARTMENTS (cont.)

Memo to Highway Supt. Boland asking for clarification of the projected budget situation for the Transfer Station hauling costs by 6/30/78.

Letter to Fire Chief Brock informing him that Reliance Ins. Co. of Philadelphia has not written civic volunteer policies in Massachusetts for two years. They are stopping underwriting these policies throughout New England. However, Admin. Ass't Lundblad is working with the Abodeely Ins. Co. in Worcester and will be meeting with them on 12/15 to go over a proposal from the U.S.F. & G. Ins. Co.

Letter is to go to Richard Tibert, Business Manager for Southborough School Dept., enclosing a copy of 12/5 letter from Susan Redlich, Director, Division of Agricultural Land Use, stating that the School Committee certainly has the power to grant the 5-year lease of town-owned land for agricultural purposes.

SITE PLANS

Letter to Paul Brefka, Chairman of Planning Bd., enclosing a copy of a letter dated 12/5 from Robert Longden, Jr. of Bowditch & Dewey re American Optical Corp. parking lot and Site Plan for same, plus a copy of the overlay of the parking lot and the identification of the structures within 200' of the property lines. This closes this file on the Site Plan for this property.

TOWN BOARDS

THUG. Letter to "Boards, Commissions, Officials Occupying the Town Hall" re the retention as concerns public documents: (1) any questions should be directed to Mr. McGlynn, Supervisor of Public Records, (2) determine what sort of safe storage is needed by the department as it is necessary to furnish the fire rating on any safes and/or fireproof cabinets, (3) when the existing safe storage capacity has been determined as well as the existing storage capacity of the vault and the number of public documents that need to be secured in a fire-proof environment, then a meeting will be scheduled with various town officials, THUG, et al to look into the feasibility of either microfilming and/or constructing a low-cost vault in the basement for permanent storage of dead files, (4) It is strongly urged that all departments look into the feasibility of binding certain public records that can be stored in this manner such as financial records of the Accounting and Treasurer Departments.

Letter to Paul Brefka, Chairman of Town Hall Users Group, assuming that Hughes and MacCarthy have agreed to the terms of \$3,000 for the work on the furnishings re the renovation of the Town Hall, therefore, requesting that the department heads who will be working in the Town Hall have an opportunity to talk to Hughes and MacCarthy re the type of furnishings that will be purchased for the central hall. The Selectmen would like to review the specs for the upstairs conference room which will become the main Selectmen meeting room.

Letters to Planning Board, Board of Health and Conservation Commission enclosing a copy of the Dec. 9 letter from the U.S. Dept. of Agriculture, Soil Conservation Service, re the initiation of the National Coop. Soil

TOWN BOARDS (cont.)

Survey program in Southborough. If these boards have any input into this process, they should contact Mr. Taylor, Soil Scientist in order to offer whatever existing data we may have.

Board noted 12/6 memo from Board of Health informing the Board that Mr. and Mrs. Mitchell, 21 Boston Road, have cancelled the Public Hearing which was to be scheduled for Dec. 13 at 8 p.m. The Board of Health will be contacted when they would like another hearing date scheduled.

APPOINTMENTS/RESIGNATIONS

Letter to Edwin Petrazollo of Phoenix, Arizona, requesting that he resign officially from the Personnel Board due to the fact that he no longer resides in Southborough. This vacancy cannot be filled until a letter is received from Town Clerk Berry stating that Mr. Petrazollo is no longer living in Southborough.

STATE LEGISLATORS

Letter to Allan McKinnon, Senate Chairman, Special Commission on the Effects of Growth Patterns on the Quality of Life in the Commonwealth. The Board wants to go on record as a Town that does not favor growth for growth's sake. A rural suburban town such as Southborough with extensive open space and considerable land holdings both by the MDC and private schools wishes to see this environment maintained.

FEDERAL FUNDING

Letter to William Taylor, Soil Scientist, U. S. Dept. of Agriculture, stating the Board's pleasure to learn of the initiation of the Soil Conservation Services Soil Survey Program in the Town of Southborough.

Letter to Carla Johnston, Dir. MAPC, enclosing a copy of 12/9 letter from the U. S. Dept. of Agriculture, Soil Conservation Service, re the initiation of the Soil Survey Program for the Town. This program will be beginning in the very near future.

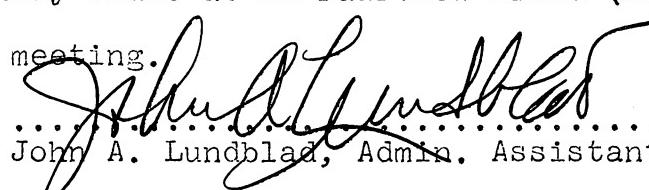
CETA

Board noted 12/8 letter from CETA-Marlborough informing the Board that all Public Service Employees of CETA/Marlborough are covered for Unemployment Benefits under the Supplemental Unemployment Assistance Program whether assigned to individual positions or projects.

ZONING PERMITS

Zoning Permit was granted to Bare Tracts, Inc. (Southborough Farms Subdivision) to build a single family house at 22 Fairview Drive (Lot 33).

9:25 p.m. VOTED: to adjourn the meeting.


John A. Lundblad, Admin. Assistant

jal/mp

SUMMARY SHEET

Re: Bids on materials, etc. for new fire station building.

The following bids were received and opened on Dec. 13, 1977:

Electrical #1

Guertin Electric, Kendall St., Framingham	\$21,345.00
Mutual Electric Co., Inc., 190 Fremont St., Worcester	17,389.00

Plumbing Materials #2

H. W. Marshall Co., 20 Westwood St., West Newton	4,630.00
Webb Supply Company, 390 Franklin St., Framingham	4,537.40

Heating Materials #3

H. W. Marshall Co., 20 Westwood St., West Newton	7,610.00
Webb Supply Company, 390 Franklin St., Framingham	7,457.80

Lumber, Nails, Ceiling Tiles, etc. #4

Coldwells Inc., 25 Central St., Berlin	5,585.20
State Lumber, 2 School St., Framingham	6,027.56

Generator #5

W. A. Kraft Corp., 308 N. Harvard St., Boston (Switch 2,500.00)	{ 80KW } 9,750.00
Witt-Armstrong Equip. Co., South St., Hopkinton (Switch 3,948.00)	{ 65KW } 8,950.00
	{ 75KW } 12,873.00

Air Whistle #6

L. W. Bills Co., Inc., Lexington (Option 1,437.00)	10,438.00
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MINUTES OF MEETING
BOARD OF SELECTMEN

December 20, 1977

7:30 p.m. Present: Chairman Louis J. Bartolini, Sel. Paul R. O'Connell, Jr., Administrative Assistant John A. Lundblad and members of the press. (Sel. McAuliffe arrived at 9:04 p.m.)

8:15 p.m. Bid Opening for the publication of Town's Advisory Report and 1977 Annual Report. Five bids were received:

(1) Jefferson Village Offset Co., 1651 North Main Street, Jefferson, Massachusetts, (2) Municipal Reports Co., Fitchburg, Massachusetts, (3) Communication Graphics, Div. of Beacon Publishing Co., Acton, Massachusetts, (4) Martin Printing Co., Newington, N. H., and (5) Rene Press, Inc., Fitchburg, Massachusetts. Summary of bids is attached.

Ch. Bartolini read aloud the legal ad. Sel, O'Connell moved that these bids be taken under advisement, seconded by Ch. Bartolini, and approved on a unanimous voice VOTE of the Board of Selectmen.

8:25 p.m. Selectmen considered a request by Fire Chief Edward F. Brock, Chairman of the Fire Station Building Committee, to award the plumbing, heating, lumber and generator contracts for the new Fire Station construction project. Those awards were made to the following firms for the following sums for delivery of services and/or materials as called for in the specs prepared by the Town and bids opened at the meeting of 12/13/77. Sel. O'Connell moved that these recommendations be adopted and be awarded as per Fire Chief Brock's letter. Motion seconded by Ch. Bartolini and approved by a unanimous voice VOTE of the Board of Selectmen, as follows:

Plumbing materials -	Bid \$4,537.40 -	Webb Supply Co., Inc. 390 Franklin St., Framingham, Ma
Heating materials -	Bid \$7,457.80 -	Webb Supply Co., Inc. 390 Franklin St., Framingham, Ma
Lumber, etc.	- Bid \$5,585.28 -	Coldwell's Inc. 25 Central St., Berlin, Ma
80KW Generator	- Bid \$9,750.00 -	W. A. Kraft Corp. 308 N. Harvard St., Boston, Ma

8:30 p.m. Ch. Bartolini moved that Administrative Assistant John A. Lundblad and Selectman Paul R. O'Connell, Jr. be appointed to the Industrial Development Financing Authority. Sel. O'Connell indicated he could not second his own nomination but would second the nomination of the Administrative Assistant. At this time Ch. Bartolini withdrew the nomination of Sel. O'Connell and in his place nominated George McClelland of the Advisory Committee and John A. Lundblad, the Administrative Assistant, to the IDFA. At this time Mr. McClelland, who was present at the meeting, indicated that he could not serve on that Board since he can only serve on the Advisory Committee and no other standing committee of the Town. Chairman Bartolini then withdrew his nomination of Mr. McClelland and nominated

Jeanne Duggan to the IDFA together with Admin. Ass't Lundblad. Those two motions were seconded by Sel. O'Connell and approved by a unanimous voice VOTE of the Board of Selectmen. At this time Mr. Lundblad and Mrs. Jeanne Duggan recessed to the Town Clerk's office to be sworn in.

3:35 p.m. Mr. Donald Dillman of the IDFA, together with Herbert F.

Ramsdell, Jr. of Deerfoot Rd. arrived. At this time

Sel. O'Connell moved that the previous motion nominating and approving Mr. Lundblad and Mrs. Duggan be stricken from the meeting and that their appointments be removed.

At this time Selectman O'Connell moved that Herbert F. Ramsdell, Jr., 26 Deerfoot Road, be appointed as a Director of the Industrial Development Financing Authority to fill the vacancy created by the resignation of James Langway. Motion was seconded by Ch. Bartolini and approved by a unanimous voice VOTE of the Board of Selectmen. This term ends on April 1, 1982.

8:45 p.m. Board of Selectmen recessed their meeting.

Chairman Bartolini called to order the meeting of the Industrial Development Financing Authority. Members present: Herbert F. Ramsdell, Jr., Donald Dillman and Chairman Louis J. Bartolini.

3:46 p.m. Board of Selectmen reconvened their meeting. Mr. Dillman and Mr. Ramsdell left.

3:46 p.m. Board of Selectmen met with George McClelland, Chairman of to the Advisory Committee to discuss the Industrial Develop-

3:55 p.m. ment Commission and problems the Advisory Committee had with approving a budget for \$100 for this Commission. Ch.

Bartolini indicated that no IDC members were present although they were invited. They all had previous committments due to the holiday season. Mr. McClelland indicated that last year he defended the IDC before the Town Meeting. He indicated that \$100 was necessary for the work they were doing. However, he would be unable to do the same this year feeling that they were doing no work and that unless this Commission was strengthened, either in-house or through consultants, then it would be necessary to either eliminate the budget or reduce the budget down to a point where it legally existed so money could be transferred in case of emergency. Sel. O'Connell disagreed with these options feeling that the other option remaining for the IDC is either new members or consultants, but that we should not consider the no-funding proposal.

9:00 p.m. Board met re a Site Plan Hearing for John and Judith Budz to to consider a designation of professional offices in the

9:20 p.m. home to be built by Dr. and Mrs. Budz on Crestview Drive.

Present for the Planning Bd. was Patricia Capone; three residents of the area: Robert Scagnetti of Crestview Drive, Jonathan Stype of Partridge Hill Rd. and one unnamed individual. After significant discussion with the abutters it was noted by the Board that the Site Plan Hearing was not a request for a Special Permit or a Variance but the activity requested by Dr. Budz was clearly allowable in this district. The meaning of the Site Plan Hearing in this case was to insure that proper parking, drainage and lighting were maintained, further that the proposed usage was in keeping with the By-Law which requires that under home occupations or the maintenance of a professional office in a home that the individual live on the premises as well as work on the premises and that no more than two other persons not resident on that premises would be involved in the

professional office.

Dr. Budz, a professor of psychology at Framingham State College, also maintains a practice in Framingham. The primary use for setting up a practice in his home was for tax purposes but also for an opportunity to be able to have some of his patients come to his home if they so desired. He indicated that he would have no more than five or six patients a week. It would only be evening hours. There were only five or six parking locations as detailed on the plan.

9:04 p.m. Sel. Thomas W. McAuliffe arrived.

Sel. O'Connell requested a detailing of the facts and asked if his interpretations were substantially accurate - those being: (1) that the hours would be only for evenings, (2) that parking would be in the paved circle as well as the central of the circle which would be crushed stone, (3) that the office is to be located there on the advice of his accountant - roughly a 12' x 14' structure which itself would require 4 spaces and 2 more spaces for the people residing in the premises requiring this be shown on the plan, further that he had no interest in hiring other employees, that he would have no exterior signs other than his mailbox, and there would be no lights on the building other than residential. This was substantially agreed to by Dr. Budz.

Board of Selectmen VOTED to take the matter under advisement.

9:20 p.m. Selectmen met with Patricia Capone of the Planning Board and Town Counsel Frederick A. Busconi, Mr. Busconi presenting the Board with \$10,000 check from Maryland Casualty Co. for the recall on the bond of Bantry Road.

9:25 p.m. Board considered correspondence from Police Chief Francis Mattioli, Police Training Coordinator Sgt. William Harpster, requesting construction of a 50-foot training tower to be located in the rear of the police station at 19 Main St. Selectmen reviewed the Zoning By-Law and found that this usage is permitted, and furthermore that it would require a Site Plan Hearing. Selectmen instructed Admin. Assistant Lundblad to notify Chief Mattioli and Sgt. Harpster of that decision.

9:30 p.m. Selectmen met with Fire Captain Frank Aspinwall and Robert to Duckworth of Western Electric Co., Turnpike Road, re a

9:40 p.m. fuel storage license hearing to increase the storage capacity from 30,000 to 50,000 gallons of fuel oil buried in the ground. The legal ad was read aloud by Ch. Bartolini which was furnished by Mr. Duckworth. Mr. Duckworth gave a brief presentation indicating that Western Electric desired to increase its capacity from 30,000 to 50,000 as shown on a Site Plan. The additional 20,000 gallons would be located roughly 10 feet from the building. Because of wet conditions in the area, a concrete pad would be poured first and tie-downs would be provided to prevent the tank from moving during frost. The tank would then be surrounded by sand. Mr. Duckworth presented also the notice to abutters and certified receipts from each abutter. Sel. O'Connell moved that the license be GRANTED subject

12/20/77 Sel. Mtg. - Pg. 4

to supervision of Fire Dept. Motion was seconded by Ch. Bartolini and approved by a unanimous voice VOTE of the Board of Selectmen. Ch. Bartolini at this time noted that he had no problem with the permit and felt that it was fully justified and allowable. However, he was concerned that Western Electric Co. went ahead and began construction of this without all necessary permits a number of weeks ago. Mr. Duckworth expressed his concern about the way the matter was handled and apologized indicating that the contract awarding was done in New York and as part of that contract required the contractor to have all necessary permits and unfortunately did not check into that himself.

9:45 p.m. Selectmen considered the specifications prepared by the Administrative Assistant re demolition of property at 247 Parkerville Rd. owned by the Cummings Estate.

Selectmen approved the specs as written and instructed Admin. Assistant Lundblad to strengthen sections concerning liability policies of the contractor. Sel. instructed Admin. Assistant to contact Emergency Finance Board and to set up whatever system necessary to have an emergency declared for the demolition of this structure.

9:50 p.m. Selectmen discussed matters with the Town Counsel and was informed that the Town Counsel was filing on Wed. 12/21/77 suit in the Superior Court in Worcester against H. M. D. Realty Trust seeking an injunction for alleged zoning violations at 97-B Woodland Road.

Selectmen signed Treasury Warrants TW #67 for \$3,517.47; TW #68 for \$3,062.41; TW #69 for \$53,003.04; CETA-Title 6 Project TW #30 for \$127.08; and CETA-Title 6 Project TW #31 for \$824.23.

LICENSES

Selectmen signed 1978 renewals of the following licenses:

Class I

Country Volvo c/o Hugh Dalzell, Gen. Mgr., 78 Turnpike Rd.
I. R. Equipment Corp., 300 Turnpike Rd.
Petry Equipment, Inc., 30 Southville Rd.
Davco, Inc., 61 Break Neck Hill Rd.

Class II

Ted's of Fayville, Inc., 5 Park St.
Ellis Imports c/o Charles G. Ellis, Sr. & Charles G. Ellis, Jr.
12 Newton St.

Richard A. Conrado d/b/a Mass. Auto Wholesale, 355 Turnpike Rd.
Mobility Sales, Inc., 55 School St., George McCarthy, Manager

Board noted 11/18/77 communication from Cohen, Gaffin & Greb, Attorneys at Law to the Creditors of Robert Queen d/b/a Limelight advising that a Petition for Reorganization under Chapter XI has been filed by the above-named debtor. A meeting of the creditors was held 11/23/77 at 10 a.m. in the office of Cohen, Gaffin & Greb, Framingham, MA.

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TOWN DEPARTMENTS

Letter to John P. Manning, 12 Foley Drive, re his failure to have a valid building permit for a swimming pool constructed on his property, that an application was made but that it has not been paid for. CC: Building Inspector Phaneuf.

Letter to C. E. Williams Insurance Agency, Inc. re the portfolio Fire & Casualty Policy for the new fire station building requesting assurance that this policy covers the Town against any possible law suit filed under the Casualty Section by individuals working on site for the volunteers or municipal employees.

Board noted Dec. 13 letter from Building Inspector Edgar Phaneuf to William J. Fletcher d/b/a Bill's Package Store, Inc., 7 Turnpike Rd., re a possible violation of the Zoning By-Law re signs (Section IV, subsection 9). The advertising sign placed upon the brick wall of his establishment is in apparent violation of the Zoning By-Law. A sign permit application should be made at once.

Board noted authorization signed by Ruth C. Johnson, Treasurer/Collector authorizing Jennifer Bishop and Mary Guilford to initialize over her name all bills payable, transfers to Treasurer, refunds for abatements and payrolls, all concerning the Treasurer and Collector offices for the period of Mrs. Johnson's absence from the Town of Southborough, namely, Saturday, December 17, 1977 through Monday, January 2, 1978.

TOWN BOARDS

Letter to Paul Brefka informing the Planning Board that the Selectmen were presented with a check for \$10,000 by the Town Counsel from Maryland Casualty Co. in retrieval of the bond on BANTRY ROAD from Cosmo J. Caterino.

Board noted 12/14/77 letter from Highway Supt. John Boland to Southborough Planning Board informing that Board that he has reviewed the work remaining in the Southborough Farms Subdivision (Section 1) and agrees with the \$8,000 estimate indicated in the Bare Tracts letter. Mr. Boland suggests that the developer be allowed to post the \$8,000 deposit and that no further work be completed at this time.

STATE AGENCIES

DPW. Letter to William Clancey, Western Electric Co., enclosing a copy of the specifications prepared by the Town in conjunction with the State for the construction of traffic control devices at Crystal Pond Rd. and Rt. 9 in the vicinity of their driveway.

Board noted 12/15/77 letter from John R. Buckley, Secretary of Administration and Finance, answering the Board's 11/29/77 letter which was directed to Governor Dukakis re the Judicial Needs Package which passed both branches of the Legislature in somewhat different forms and are of legitimate concern.

Board noted 12/9/77 letter from Commission John Carroll, DPW, Boston, to Brad Stroup of Data General re status of the traffic control devices plans, specifications, agreements and easements for construction of these signals on Rt. 9 at Crystal Pond Rd.

COMPLAINTS

Letter to Ernest Kallander, 18 Meadow Lane, re Mr. Kallander's request of 11/28/77 desiring to have the Town convey to him by sale, lease or otherwise, the extreme northerly portion of Valley Rd. He wishes this portion as a site for a storage shed for equipment and materials for the maintenance of his golf course. Selectmen informed Mr. Kallander that the abandoning of any roadways must go through an Annual Town Meeting and that the Warrant Article for same must be initiated by himself and at least 9 other registered voters before it will be placed on the next ATM Warrant.

STATE LEGISLATORS

Letter to Frank J. Rossi, Sr. enclosing a copy of an Act passed by both Houses of the Legislature concerning his request for the purchase of MDC land. The Governor is to sign this bill Dec. 20, 1977.

FEDERAL AGENCIES

Letter to Congressman Joseph D. Early stating that the Board of Selectmen strongly oppose the proposed transfer of the U. S. Postal Service Mail Transfer and Sorting Facility for the 017 District from Framingham to the South Boston Postal Annex.

FEDERAL FUNDING

Board noted receipt of 31 Code of Federal Regulations from Dept. of the Treasury, Office of Revenue Sharing "Fiscal Assistance to State and Local Governments".

10:28 p.m. VOTED: to adjourn the meeting.



John A. Lundblad, Admin. Assistant

jal/mp